
The Big Freelancer Report

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About this report

The COVID-19 pandemic has decimated the freelance artists, technicians and craftspeople on whose health and resilience the recovery of the performing arts sector depends.

Efforts by industry leaders to draw attention to the income crisis facing the workforce through their lobbying and media appearances are appreciated.

However, this income crisis is rooted in a wider story of inequity which predates the pandemic.

To focus solely on the short-term goal of 'getting money to freelancers' without confronting these historic inequities would be to rebuild a broken system.

This report identifies the core problems facing the workforce and makes practical recommendations for change.

Unlike other such studies, this one is written by performing arts freelancers. It aims to articulate the needs and concerns of the workforce from the perspective of the workforce.

Methodology

The analysis offered over the following pages is based solely on the research undertaken by freelancers over the last twelve months.

It draws on:

- 96 documents created by freelancers, including:
 - Studies, reports and surveys
 - Campaign literature, 'riders' and roadmaps for change
 - Articles, blogs and discussions
- The work of 22 separate campaign and advocacy groups
- Over 50 interviews with freelancers from a diverse range of disciplines conducted over Zoom
- Data generated from the 8000 respondents to The Big Freelancer Survey
- The expertise of specialist interviewees working in education, science and business

This report has been funded by Arts Council England, and as such maintains a focus on the experience of freelancers working in England. However, it is hoped that some of the insights provided may have value for our colleagues in Wales, Scotland and Northern Ireland.

Contexts

Mutual dependence

The relationship between producers, venues, organisations and the freelance workforce is one of mutual dependence. The sector relies on the expertise of freelancers hired on a project-by-project basis in order to create work for its stages. In turn, the freelance workforce relies on organisations, producers and touring companies for its employment.

Organisations in the performing arts sector are full of gifted, passionate individuals who maintain the stages, administrate contracts, design marketing campaigns and manage production budgets. Yet the work that sits at the core of their business is undeliverable by those on their payroll. Indeed, 94% of the work created for the nation's stages is entirely reliant on freelancers.¹

No other industry outsources its creative leadership or its innovation to such a degree.

Most of the permanent staff of the nation's cultural organisations have never been freelancers. Most freelancers have never been on the permanent staff of an organisation. Yet each cohort must work efficiently, productively and creatively with the other in the pursuit of world-class theatre.

However, our interviewees report that this relationship of mutual dependence has not led to one of mutual benefit. Instead, the pre-pandemic sector was optimised for cultural infrastructure at the expense of cultural entrepreneurship.

"The survival of the performing arts sector is dependent on the health of the relationship between organisations and freelancers. The pandemic has exposed the fragility of that relationship. Until it is reimagined and repaired, we're all in trouble."

Freelance designer

¹ <https://freelancersmaketheatrework.com/wp-content/uploads/2021/01/FMTW-Interdependence-Report-17-Dec-20.pdf>

From insider to outsider

The last 50 years have seen a shift in the position of the theatre-maker from *insider* to *outsider*. Arguably, COVID-19 has simply accelerated this movement to its logical end point. Shakespeare's theatre was owned and run by actors and playwrights. The Victorian theatre was shaped by the actor-manager. The great post-war rep companies positioned actors, directors, designers and writers at the heart of major institutions.

However, as organisations were forced to adapt to new funding climates and as artists decided to strike out as freelancers in pursuit of greater flexibility and opportunity, a new structure began to emerge, a structure that one of our interviewees calls 'the great bloat'.

What had once been a fairly direct relationship between artists and audiences came to be mediated by layers of management and an emerging 'producariat'. The permanent payroll was enlarged to accommodate new posts in areas such as fundraising, marketing and administration.

As a consequence, the ratio of makers to non-makers within these organisations changed completely. The rooms where decisions about working conditions were made were no longer populated by the people who would inherit those decisions.

As 'arts funding' became synonymous with the funding of buildings and organisations, artists became increasingly estranged from the means by which art is made.

It is in this position, on the outside of the nation's system of cultural production, that freelance theatre-makers found themselves at the beginning of the pandemic. That they then struggled to access information, emergency funding, representation and mechanisms of influence is less a function of the pandemic than a logical consequence of a wider historical trend.

"English National Opera used to have over 200 full time permanent performing artists when I joined, including soloist singers, choristers and orchestral players. Now it doesn't have a single one."

Freelance director

A fragile sector

The shift in the ratio of makers to non-makers within organisations should not be read as a deliberate attempt to marginalise artists, craftspeople and technicians. Instead ‘the great bloat’ was made necessary by the systematic de-funding of the arts.

Successive Governments encouraged the sector to become more entrepreneurial, to wean itself off subsidy and onto self-generated income. Inflation adjusted ‘core revenue’ funding of ACE fell almost every year from 2010/11 onwards. Arts spending per head of population dropped 41% from 2009/2010 to 2017/18¹.

This drop in central funding coincided with a 43% reduction in Local Authority arts investment². By 2017/18 the level of earned income among ACE’s revenue funded arts organisations ‘outstripped the funding they received via the National Lottery, Treasury and Local Government combined’.

As a consequence, organisations have been forced to divert their energies towards securing match funding, corporate sponsorship and commercial revenue. Ticket prices rose making the work underwritten, in part, by public funding less accessible to the public.

The job of a modern arts organization is no longer making art, it is fundraising.

A secure and sustainable arts sector costs relatively little but, as one of our interviewees comments ‘we’ve spoiled the ship for a ha’porth of tar’. By the beginning of 2020, an arts ecology designed to run on public funding was being fuelled by ‘earned income’. If you listened carefully enough, you could hear the engine grinding.

“You can tell a lot about the value a society places on its culture by looking at how quickly its government intervened to protect it. The fact that the Europeans were so quick off the mark at the beginning of the pandemic wasn’t a surprise to me. But the speed at which the UK’s arts sector went down was shocking.”

Freelance technician

¹ https://forthearts.org.uk/wp-content/uploads/2020/06/NCA-Index-07-18_-1.pdf

² https://forthearts.org.uk/wp-content/uploads/2020/06/NCA-Index-07-18_-1.pdf

Where the funding goes

Of the £129.9m that ACE invested in theatre in 2019/2020, 79% went directly to National Portfolio Organisations (NPOs). The top five organisations in the portfolio were awarded 37% of the total funding available. The top ten accounted for 46%¹.

Just 21% of the total ACE investment in theatre was accessible to individuals through the Project Grants scheme². However, *accessible* to individuals does not mean *ringfenced* for individuals: of the £28.5m awarded in grants, £1.5m went to the University of Derby, £1.4m to Theatre in the Mill, £369,000 to The National Youth Theatre of Great Britain.

Because ACE data makes no distinction between organisations and individuals, it is impossible to determine how much of this spend went directly to freelancers.

Nor is ACE equally interested in *all* freelancers. Data presented in *Routes to Recovery* suggests that craftspeople, technicians, stage workers, production managers and actors were significantly underrepresented in applications for the Emergency Response Fund³. Our interviewees in these disciplines reported that ACE is 'not interested in us'. Consequently, significant numbers of freelancers only receive a benefit from public funding when they book a job at an NPO.

The performing arts funding climate is stacked in favour of buildings and production companies rather than 'cultural entrepreneurs'. Where the funding goes, the power follows. The same organisations which have commanded the greatest share of the sector's resource have also commanded its public narrative. Unsurprisingly, it was to the heads of the best-funded institutions that the media, DCMS and Parliamentary Select Committees turned for expertise during the pandemic.

"You can't blame the public for assuming that most actors are rich: award ceremonies, posh frocks on red carpets, interviews on TV. It's hard to explain that's just another performance. I think people would be shocked if they knew how badly paid the industry was. If you didn't love it, there's no way you'd do it for a living. It's the love that makes us very easy to exploit."

Freelance actor

¹ <https://www.artscouncil.org.uk/national-portfolio-2018-22/more-data-2018-22>

² <https://www.artscouncil.org.uk/national-lottery-project-grants/project-grants-data>

³ <https://freelancersmaketheatrework.com/study-routes-to-recovery/>

The freelance business model

The freelance business model

The 200,000 freelancers who make up the performing arts workforce may work with different skills, in different settings and at different scales, but they share a common business model. Crucially, this model was not working for most freelancers pre-pandemic.

COVID-19 has acted as a force multiplier on an unstable business model, exposing vulnerabilities which have existed for decades.

The sector is rightly proud of its 'army' of skilled, talented freelancers. However, academics Richard Wallis and Christa van Raalte argue that arts workers have more in common with a force of individual mercenaries than a standing army. Maintaining an army requires resource, commitment, accountability and an appreciation of the necessity of each individual to the enterprise as a whole. By contrast, the employment landscape for freelance artists, craftspeople and technicians is made up of short-term hires which come 'with a minimum obligation on both sides'.¹

Because arts freelancers are largely self-employed, employers are 'freed from the responsibilities and commitments associated with PAYE and employment rights'. The 'freedom' of the freelancer is a false one. It 'comes with the hidden constraints associated with shouldering the full burden of risk'. For younger practitioners, freedom is 'more of an :

¹ http://eprints.bournemouth.ac.uk/34328/1/Growing_a_sustainable_workforce-DCMS_Committee_Evidence_Wallis%26vanRaalte.pdf

The freelance business model

ideal than a reality ... a psychological mechanism for rationalising irregular and insecure work'. Wallis and van Raalte are clear on the consequences of this 'freedom

As most modern nation states have long recognised, the flexibility of a mercenary army comes at a price. It has little to recommend it where resilience, sustainability, or consolidation are required ... The extent to which the preponderance of risk has been borne by these industries' most precious commodity – its workforce – has revealed a widely unrecognised malaise. The fact that the crisis was experienced so immediately, in such an unmitigated way, and in a form which has left up to half of [the] workforce without recourse to any material or psychological support, indicates how uniquely vulnerable this sector has become.²

By the beginning of 2020, freelancers were already absorbing a disproportionate share of the sector's risk. However, nothing could have prepared them for what was to come.

For the mistakes of the past to be avoided in the future, it is vital that stakeholders engage with what it means to build a business in the performing arts industry. Not least because many of the behaviours, attitudes, working practices and tendencies of the freelance workforce can be traced back to one of the five key characteristics of its business model.

² http://eprints.bournemouth.ac.uk/34328/1/Growing_a_sustainable_workforce-DCMS_Committee_Evidence_Wallis%26vanRaalte.pdf

1. Forced dependency

Whereas freelancers make up 16% of the nation's workforce, in the performing arts this figure rises to 71%¹.

Only 3% of the permanent employees of publicly funded organisations are engaged as artists. To be an artist, craftsperson or practitioner in the performing arts is to be a freelancer.

Freelancers are almost totally dependent on arts organisations for employment opportunity. Whereas sculptors need only a small studio and access to materials in order to practice their craft, theatre makers require a stage, an audience and a significant producing structure to practice theirs.

The 'assets' a performing arts freelancer needs in order to work, from rehearsal rooms to technical equipment, from auditoria to workshops, are not owned or controlled by those freelancers. No other 'creative workforce' is as estranged from the means of production as those who specialise in the performing arts.

This dependency extends to employment opportunity itself. Organisations and producing companies have the power to award or deny contracts, to determine working conditions and to share or withhold information on budgets and resources.

'If the phone doesn't ring, I don't work'.

(Freelance costume supervisor)

Nor will this circumstance change throughout the course of a career. A self-employed chef might invest in a food truck with the hope of amassing enough customers to justify a permanent pitch.

¹ <https://freelancersmaketheatrework.com/wp-content/uploads/2021/01/FMTW-Interdependence-Report-17-Dec-20.pdf>

1. Forced dependency

Should they be successful, they may be able to raise enough capital to buy a restaurant. If the restaurant is a success, they may find themselves opening new branches.

In contrast, no matter how good, how acclaimed, how proficient a theatre freelancer becomes, they will always be reliant on the sector's existing infrastructure.

'I have been working in the sector for 35 years. In that time, I've made almost a hundred shows, won awards, had articles written about me in the national press. My work is on the syllabus of 4 exam boards. And yet I'm as dependent on these buildings and organisations as I was as a 21-year-old'.

(Freelance director)

To all intents and purposes, there is no such thing as an 'independent' theatre maker.

2. Reputation is all

For all freelancers, future work is dependent on the reputation of past work. However, the performing arts is a buyers' market. In a highly competitive field where reviews are published in national newspapers rather than Trustpilot, reputation is all.

Once a project fee has been accepted, the only commodity a freelancer can leverage is time. Freelancers rarely 'work to rule': they will tend to work through breaks, evenings and weekends in an attempt to drive standards.

'Fourteen-hour days are common during production weeks. They're sometimes scheduling you until midnight or 2 o'clock. Then you're back in for 9 the next morning ready for everybody else to start at 10.'

(Freelance sound designer)

Because fees are fixed in advance, as hours go up, margins go down. All producers understand this paradox, the worst producers exploit it.

As a result, freelancers frequently act against their own welfare and financial instincts to protect a reputation.

Established freelance theatre makers work across an average of 11 contracts per year. However, some specialists such as fight directors, access workers and voice coaches require around 50 separate contracts in order to sustain a career. This business model depends not on employment but *re-employment*.

2. Reputation is all

Consequently, freelancers will do almost anything not to be thought of as 'difficult'. As a result, the permanent staff of organisations are likely to be unaware of negative experiences that freelancers have faced whilst delivering a project.

Only 16% of the freelancers we interviewed said that they would complain if something went wrong.

The majority of our interviewees claim that they would rather absorb a problem themselves than take it to a producer or line manager. This response was most common in women, and particularly women of colour.

The 'reputational' aspect of a freelancer's business model has a coercive effect, discouraging individuals to push back against poor pay and conditions, abuses of power and unsafe working practices.

Given that freelance performing arts specialists average 3.6% of board membership across the ACE portfolio, there is little incentive for organisations to reform these practices.¹

¹ <https://freelancersmaketheatrework.com/wp-content/uploads/2020/07/Routes-To-Recovery.pdf>

3. Unstable margins

The success of the freelance business model relies on a delicate time-money calculation. There is no such thing as 'a good fee' abstracted from the question 'how many hours work are expected in return?'

'This is a creative industry: by definition you never quite know what you're signing up for. We're paid by the project, not by days worked so you're constantly having to guess whether you'll make or lose money on a job.'

(Freelance writer)

Margins depend on being able to discipline hours worked in order to maintain the highest possible day rate. Every meeting taken, every email written, every phone call made affects those margins. When an organisation is profligate with a freelancer's time, the impact is felt financially.

Unlike freelancers in other industries, theatre makers rarely have the power to set their own fees. Organisations tend to offer fixed fee structures: the freelancer either accepts what is offered or they decline the job entirely.

'There's a lot of sharp practice that goes on. It's wage fixing, really, by any other name.'

(Freelance producer)

Furthermore, it is often difficult to predict how much time a job will demand until it begins. With the best will in the world, estimates made by producers at the point of contract are only 'best guesses'. For some freelancers, signing a contract is a gamble, a speculation on a projected margin. The moment the contours of a project change, the time-money calculation shifts.

3. Unstable margins

'I took a job which radically changed in scale mid-way through. But by then the fee had already been set. My only options were to walk away or to deliver it brilliantly. I gambled and I lost: I ended up earning less than £80 a day.'

(Freelance video designer)

Much of the work a freelancer contributes to a project is 'invisible' in that it is not acknowledged in a contract or accounted for in a project fee. Prep work, meetings, travel time, the writing of applications, research, dramaturgical work and planning were all mentioned by our interviewees as part of the 'invisible work' of the sector.

100% of the freelancers we interviewed reported that they 'almost always' do more work on a contract than they are paid for.

Because the freelance business model depends on an ability to book multiple projects over the course of a year, even the smallest shift in an organisation's dates has significant implications for a freelancer. A single cancellation can make the difference between a financially viable trading year and a year of negative income.

4. High overheads

Freelancers have substantial overheads: the running of an office, agents' commission, accounting and tax expertise, travel to meetings and auditions, software and subscriptions, membership of unions and professional bodies, websites and showreels and, for some practitioners, the running of a design studio.

Unlike other freelancers, performing arts workers are unable to pass these expenses on to their 'clients'. Instead, they must be absorbed as the necessary cost of operating in the performing arts marketplace.

'Software subscriptions, stock footage, wear and tear on computers, the skilled labour of the animators I employ. None of these are covered by the 'expenses' clause in a typical contract.'

(Freelance video designer)

'You're asked to pitch for an adaptation job, but nobody pays you to read the book or prep for the meeting. None of that is recognised. We just have to swallow it.'

(Freelance writer)

However, there are less obvious overheads hidden inside the business model of the self-employed theatre maker. Arguably the early years of a freelancer's career function similarly to an overhead. **40% of young freelancers earn less than £10,000 a year. This figure rises to 46% for young freelancers of colour.¹**

Working unpaid or for very little, the young freelancer absorbs a significant loss in the hope that they might be able to 'pay themselves back' once they have established a foothold on the industry.

¹ The Big Freelancer Survey

4. High overheads

However, only 8% of freelancers earn a wage which would place them in the nation's 'higher-rate tax threshold', currently £50,000 per year

The idea of being paid in 'opportunity' rather than being financially remunerated for one's time and skill is widely accepted.

For most freelancers, the unpaid preparation, research, meeting attendance and early planning necessary to deliver on a contract function as overheads. Training should also be regarded as an overhead: in an industry obsessed with what's new and what's next, skills need to be kept sharp and new technologies mastered.

The reporting suggests that, once these overheads are factored into the equation, some self-employed theatre makers are effectively subsidising the theatre sector, rather than being sustained by it.

5. Lacks basic protections

Like all freelancers, the artists, craftspeople and technicians who make up the performing arts workforce have no statutory access to sick pay, holiday pay, maternity and paternity pay. The organisations for which they work make no pension contributions on their behalf. As a consequence, the business model which most freelancers operate is extremely insecure.

'I simply can't afford to get ill. I'm constantly balancing the need for recovery time between projects against the need to keep earning all year round'.

(Freelance stage manager)

Parents and Carers in Performing Arts (PIPA) estimate that 85% of performing arts freelancers with caring responsibilities have had to turn down work.¹

A business model which only thrives if the freelancer is never sick, rarely goes on holiday, is forced into difficult choices around childcare and is unable to save for their retirement makes a 40 year career in the performing arts difficult to sustain.

Nor do freelancers have access to the less obvious benefits of an employee, including HR departments, recourse to legal expertise or occupational health facilities. Whilst some of these functions are provided by agents, unions and professional bodies, many freelancers we spoke to have suffered for the lack of these basic protections.

To some extent, the insecurity of this business model is part of the trade-off freelancers make in exchange for being taxed on profit rather than income. However, UK Government's pandemic response to it has exposed the vulnerability of a workforce which operates without a 'Plan B'.

¹ <https://pipacampaign.org/research/balancing-act-survey?referrer=/research>

The freelance business model



- **Forced dependency**
No matter how good, how acclaimed, how proficient a theatre freelancer becomes, they will always be dependent on the sector's existing infrastructure
- **Reputation is all**
Freelancers frequently act against their own welfare and financial instincts to protect a reputation.
- **Unstable margins**
Margins depend on being able to discipline hours worked in order to maintain the highest possible day rate: when the contours of a job change, margins become unstable
- **High overheads**
High overheads mean that some freelancers are effectively subsidising the sector rather than being sustained by it
- **Lacks basic protections**
A business model which only truly succeeds if the freelancer is never sick, rarely goes on holiday, is forced into difficult choices around childcare and is unable to save for their retirement

Seven problems facing freelancers

Seven problems facing freelancers

The COVID-19 pandemic created a situation in which 71% of the performing arts sector was left with no representation, no access to channels of influence or communication, no benefit from the government's cultural recovery plan and, in some cases, no income support. To understand why, it is necessary to confront the problems that predated the discovery of a new virus.

Whilst the challenges freelancers face vary according to discipline, age, ethnicity, practice field and location, it is possible to identify seven distinct categories of problem which affect almost all of the 200,000 performing arts workers upon whom the sector depends:

1. Employment status
2. Fair pay
3. Talent development and training
4. Working conditions
5. Inclusion
6. Access to sector assets
7. A power imbalance

Employment status

01

- Sick pay
- Maternity and paternity pay
- Holiday pay
- SIC codes
- Tax-free saving products
- Ineligibility for Universal Credit
- Pension contributions
- Protection under the Equality Act 2010

In common with every self-employed worker, performing arts freelancers pay lower rates of National Insurance. As a consequence, they are entitled to fewer rights, protections and benefits than employees. A lack of access to sick pay, maternity and paternity pay and holiday pay bring particular challenges. Few of our surveyed freelancers contribute to a pension plan. Many freelancers are unclear as to whether their employment status means that they have fewer statutory protections against discrimination than employees.

Savings are also an issue. Freelancers tend to rely on a small 'cushion' of savings to ensure that they are able to even out their income throughout the course of a year. Although this cushion is an essential part of the freelancer's operating model, it renders them ineligible to apply for Universal Credit.

The pandemic has also revealed the perils of invisibility: without the ability for freelancers to self-determine their SIC code, the workforce may not accurately be measured, and thereby understood, by key government agencies such as HMRC and HM Treasury.

Issues of concern include:

- Sick pay
- Maternity and paternity pay
- Holiday pay
- SIC codes
- Tax-free saving products
- Ineligibility for Universal Credit
- Pension contributions
- Protection under the Equality Act 2010

Fair pay

02

- Invisible labour
- Late contracts and late payments
- Lack of transparency
- Fair pay
- Freelancer input into pay scales
- 'Opportunity not job' culture
- Low pay as a block to inclusivity
- Profligacy with freelance time and labour

The performing arts sector has an economic exploitation problem. It is, in part, propped up by unpaid and underpaid labour. Producers regularly substitute the word 'job' for the word 'opportunity' in order to imply that the underpaid freelancer is being remunerated in experience, contacts, the chance to upskill or the promise of future employment.

Many actors can only afford to work in theatre if they secure a TV job, some designers are barely breaking even or operating at a loss and some award-winning directors are earning less than minimum wage.

Unlike freelancers in other professions, performing arts workers do not set their own fees. Whilst some minimum pay scales are in place, they have not been universally adopted or enforced. National Portfolio Organisations are able to determine their own pay scales. Nor do they negotiate: the freelancer either accepts the fee offered or declines the job entirely.

Whilst negotiation is more common in the commercial sector, the plentiful supply of freelancers requires companies to pay only what they can get away with. If one lighting designer cannot deliver a project for the fee offered, another one will.

Whereas a freelance builder, gardener, graphic designer or consultant will write the contract that they then offer to their client, in the performing arts sector it is the client who sets the terms of engagement. As a result, these contracts often explicitly work to the advantage of the organisations themselves.

Due to the nature of the creative process and the uniqueness of project-based work, it is difficult to determine whether an organisation is offering 'a good deal' until the true outline of the work required emerges. To sign a contract is to speculate on a projected margin. Once the contract is signed, should the hours

Fair pay

02

required to fulfil it change, the freelancer is unable to renegotiate. One of our interviewees calls this 'the gamble'. More worryingly, freelancers are often asked to begin work on a project months before they are even offered a contract. At that point, questions around what is required of the individual in exchange for the fee are moot.

Invisible work is also a highly emotive issue for freelancers. 96% of the individuals we interviewed upon being asked 'what are you not paid for?' had no hesitation in listing the work which goes unacknowledged at the point of contract. If the organisations cannot see that work, they cannot compensate it. This also applies to the way projects are managed: every meeting attended, every hour spent on administration, every 'friendly chat' with a department involves a recalculation of the time / money equation. Our interviewees reported that the sector is frequently profligate with freelance time and labour.

Freelancers prop up a system which works to their disadvantage. Indeed, economic exploitation is all but *taught* in actor and director training. Because there is a greater supply of skill and talent than there is demand for it, the sensation of booking a job often feels closer to that of winning a prize. Freelancers talk of feeling 'lucky' or 'grateful' to be working. This 'the job is its own reward' mentality perpetuates a culture of low pay. Even the senior freelancer whose commercial projects allow them to 'afford' to work at a smaller more experimental company is propping up a sector-wide system which is built on low pay.

Whilst it is right to celebrate the cultural sector's ability to return £32.3 billion to the UK economy against very little investment, questions could usefully be asked about exactly why we are able to make so much so cheaply.

Fair pay

02

Issues of concern include:

- Invisible labour
- Late contracts and late payments
- Lack of transparency
- Fair pay
- Freelancer input into pay scales
- 'Opportunity not job' culture
- Low pay as a block to a more inclusive sector
- Profligacy with freelance time and labour

Talent development and training

03

- Developing talent in every specialism
- Developing talent throughout the 'pipeline'
- Raising standards in training and CPD
- Upskilling
- Fair application processes

Training and skills development are major weaknesses within the sector. Whilst some initiatives are of genuine use, poor quality schemes are common. The value these initiatives have in allowing an organisation to fulfil commitments to trusts and foundations, attract new donors, or achieve ACE diversity or talent development targets sometimes outweighs the value they have to the participant.

Organisations are incentivised to privilege the number of freelancers they are able to 'develop' over the quality of that development. This leads to short and 'shallow' offerings rather than training of real depth. Mentorship is poorly understood. True 'apprenticeships' have all but disappeared.

However, many organisations are not aware that the programmes and initiatives they offer are of questionable quality. Because the 'opportunity' is dangled in front of the freelancer as a potential first step in developing a relationship with a future employer, it is rare that honest feedback is offered. Early career artists reported multiple instances of badly paid, badly conceived 'training opportunities' that were structured around a nebulous promise of future engagement.

Furthermore, because of the way that funding works, writers and directors are more attractive 'talent development' prospects than freelancers in other disciplines, meaning that there is an uneven 'training offer' within the sector.

Nor is that training offer built around excellence. Whereas other industries rely on practising specialists to devise the content of skills development initiatives, the performing arts cedes that role to administrators.

Training is not 'joined up' across the sector. In a competitive and secretive funding environment, organisations are incentivised to privilege the uniqueness and novelty of a scheme over the sharing of best practice.

Talent development and training

03

Because these schemes function as 'gateways' to organisations, demand for places is high. As a consequence, the transparency and inclusivity of selection processes is an emotive issue. Lengthy application processes designed to create a 'level playing field' for candidates are often felt to be profligate with a freelancer's time and energy.

In addition, the uneven quality of the sector's talent development practices has serious implications for inclusion and diversity. If the nation's stages are to benefit from the creativity of a new generation of freelancer, the sector will need to commit to upskilling those individuals currently deemed 'too risky' to be engaged for large scale projects.

Unlike other professional sectors such as education and medicine, the performing arts has not yet come of age in its approach to Continuing Professional Development.

Issues of concern include:

- Developing talent in every specialism
- Developing talent throughout the 'pipeline'
- Raising standards in training and CPD
- Upskilling
- Fair application processes

Working conditions

04

- Working structures that make people unwell
- Protecting breaks and rest
- Reporting lines around poor practice
- Accessible workplaces
- Flexibility for freelancers with specific needs
- Childcare
- Navigating as a 'first time freelancer'

Freelancers and organisations are united in their desire to create excellent work which enriches audiences, participants and communities. However, the sector's working practices sometimes make this more difficult than it needs to be.

Over time, our cultural institutions have moulded themselves around the leaders, producers and theatre makers who have inhabited them. Many organisations have produced and been produced by generations of white, university-educated able-bodied men. Without even realising it, some of them are still optimised for the same individuals who founded them.

The strategic change sought by the sector will only come via operational change. The seldom-asked question which would have the greatest impact on a project's success is this: 'what do you need in order to do your best work'? The organisations who are reluctant to ask this question of freelancers are often the least flexible in their working practices, and thus the least likely to be able to ensure that they will be able to meet their own ambitions for a more inclusive sector. D/deaf, disabled and neurodiverse freelancers observe that budget lines to support their basic operating needs are often not in place. These artists sometimes downplay their access needs, for fear that they cannot be 'accommodated'.

Working methods, production processes, IT systems, schedules and meetings differ building to building, company to company. The success of any given project depends, to a significant degree, on a freelancer's ability to adapt to ways of working which are not always intuitive. On embarking upon a new project, freelancers are expected to hit the ground running: shadowing, 'handover time' and induction protocols are rare. This 'deep end mentality' is frequently reported to be counter-productive, disadvantaging 'first time' freelancers within an organisation.

Working conditions

04

The wrong working structures can also make people unwell. Our analysis suggests that many of the anxieties, stresses and strains which present as wellbeing problems can be traced back to specific working practices, and to the tendency of freelancers to absorb the pressure created by a mismatch of ambition and available resource. Whereas a permanent employee asked to work over 48 hours must, by law, sign and submit an opt-out agreement, there are no such measures for protecting freelancers. Nor is legislation around rest breaks, overnight rest and weekly rest applicable to the self-employed.

Finally, vulnerabilities exist around 'reporting out' poor practice and behaviour. The reading of a 'safe space' declaration at the beginning of rehearsals means little if there are no viable reporting processes or consequences to poor behaviour. Current safe space practice tends to assume that behaviour exists in a vacuum, rather than in a context part-created by the organisation itself. No organisation can truly commit to supporting a safe working environment if they fail to offer budgets, schedules or parameters which ensure that freelancers are able to deliver excellent work without harming themselves in the process.

Issues of concern include:

- Working structures that make people unwell
- Protecting breaks and rest
- Reporting lines around poor practice and behaviour
- Accessible workplaces
- Flexibility for freelancers with specific operational needs
- Childcare
- Supporting a 'first time freelancer' to navigate an organisation

Inclusion

05

- Workplace practices which replicate inequity
- Commissioning and programming
- The reporting of poor practice
- Hiring practices and casting
- Governance and accountability
- Data collection

Those who determine what the nation's 'culture' looks like do not always look like the nation. The overwhelming majority of the sector diversity reported to ACE by NPOs comes from freelancers, including 86% of all ethnic and racial diversity.¹

Reporting suggests that individuals who suffer discrimination tend to maintain their silence rather than risk being thought of as 'difficult'. As a consequence, it is likely that organisations do not have a complete picture of the ways in which their operating models disadvantage and exclude.

There is no shared sector-wide vision of what a more inclusive future might look like. Nor is best practice currently shared. Freelancers report a significantly varied experience from one organisation to the next.

Finally, there are worrying weaknesses in the way that data on inclusion is currently captured and reported. An organisation can convene a week-long talent development scheme and report each black, Asian, deaf or disabled participant in the same metric as if they had been given a main house show. Learning and participation departments are doing much of an NPO's heavy lifting in terms of ensuring that targets are met.

Issues of concern include:

- Workplace practices which create or replicate inequity
- Commissioning and programming
- The reporting of and consequences of poor practice
- Hiring practices and casting
- Governance and accountability
- Data collection

¹ <https://freelancersmaketheatrework.com/wp-content/uploads/2020/07/Routes-To-Recovery.pdf>

Access to sector assets

06

- Shared procurement
- Access to unused or underused spaces
- The use of 'idle stock'
- Access to office facilities
- Sharing in-house expertise

Arts organisations work within a competitive and often secretive funding climate. The assets they acquire by means of the public purse tend to be protected rather than shared. From desk space to bulk software subscriptions, technical equipment to rehearsal rooms, training courses to legal and financial expertise, the organisations have the monopoly on sector assets. In the event of a gap in programming, most venues would choose to leave a theatre empty for a week than invite a group of young lighting designers to upskill by using the theatre's equipment. Freelancers could bring down their overheads if, in the words of one of our interviewees, organisations would 'share their toys'.

Nor does the current system of asset management represent good value for public money. Organisations can often operate as islands: each one approaches talent development, training and work around inclusion in its own way. This causes a great deal of replication and waste in the sector. Unlike other publicly funded fields such as education, health and social care, there is little precedent or incentive for organisations to pass on best practice, to join up their thinking or to assume joint responsibility for the provision of essential services. Competition and uniqueness are privileged over efficiency and progress. Much could be learned from the way NHS trusts operate to redress these inefficiencies.

Issues of concern include:

- Shared procurement of training, licenses and other major purchases
- Access to unused or underused spaces within buildings
- The use of 'idle stock' including empty rehearsal rooms or kit in storage
- Basic office facilities such as printing, photocopying and stationary
- Sharing in-house legal, digital, marketing and financial expertise

A power imbalance

07

- Representation within cultural organisations
- A voice in national policy conversations
- Ability to drive sector priorities and strategy
- Rebalancing relationships

The creative leadership of the sector sits predominantly within the freelance community, but that leadership is without a voice.

No other industry would chart its course without setting a place at the table for its innovators. Medicine, technology, fashion and engineering drive progress and reach by placing the 'creators' at the heart of their sector strategy. In the performing arts, however, strategy is defined and administered at the level of the organisation.

Furthermore, whilst the artists, craftspeople and technicians who have the most direct relationships with the audiences and communities that theatre serves, it is the organisations who have the most direct relationship with power. Links to trusts and foundations, donors, the national press, legal and financial experts, boards, funding bodies and policy makers are 'owned' by the keepers of cultural infrastructure.

The exclusion of the freelance voice from key industry conversations is self-defeating. In the words of one of our interviewees, 'this sector doesn't understand the value of a test pilot'. Given that organisations succeed or fail by their ability to deliver excellence to the public, it is surprising that freelancers are not asked to consult on the decisions, systems and practices that will contribute to that success. Even those freelancers who have been invited onto boards face challenges in explaining the impact that operational and strategic decisions will have on the workforce.

The dominant working culture in the performing arts further disempowers freelancers. Our interviewees report a culture of 'protecting the freelancer' from

A power imbalance

07

the financial, operational and strategic goals of a project, as if they might somehow 'oppress' the artist. The idea of engaging an architect to design a new building, then withholding information about the limitations of the budget, the priorities of key stakeholders and the challenges that are likely to arise would be unthinkable.

Rather than engaging with its freelancers as trusted 'suppliers' of the innovation, creativity and specialist skill necessary to produce the nation's culture, the sector prefers to invoke a language of nurture. Instead of acknowledging that the core relationship between an organisation and a freelancer is transactional, buildings speak of their 'family of freelancers', their 'community of artists', their desire to 'support ... look after ... keep safe'.

There is an unmistakably patrician complexion to this language, one that positions sector leaders as benevolent Victorian landlords whose interests are the same as their 'tenants'. Whether these behaviours should be read as an attempt to protect free creative space or simply to manage conflict out of relationships, the effect is both infantilising and disempowering to freelancer and organisation alike.

The fact that freelancers are not subject to the same statutory protections as permanent employees further widens the gap between the language of 'nurture' and the reality of the workplace. The employers who promise that freelancers will be 'kept safe' and 'looked after' are under no legal obligation to do so.

Freelancers are, of course, complicit in this preference for comfort over clarity. Their colleagues in adjacent sectors such as music, the visual arts, film and TV have less of a problem imaging themselves as existing within a marketplace driven by audiences, communities and the needs of the general public.

A power imbalance

07

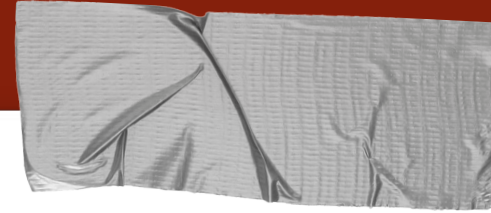
Unlike teachers, doctors, journalists and musicians who unite under the banner of powerful unions, performing arts freelancers have tended to privilege the differences between disciplines and practice fields over the power that comes with federating into a single body. National newspapers who characterise artists as 'leftie luvvies' might be surprised to learn how little principles such as unionization, solidarity and collective action have taken root.

With no single voice to speak for the workforce, no invitation to participate in national policy conversations, no representation within organisations and no access to mechanisms of influence, freelancers are powerless to make the change they seek.

Issues of concern include:

- Representation within cultural organisations
- Representation in local and national policy conversations
- Ability to drive sector priorities and strategy
- Rebalancing the relationship between freelancers and employers

Seven problems facing freelancers



- **Employment status**
Freelancers are made vulnerable by a lack of basic protections
- **Fair pay**
Economic exploitation is rife in certain parts of the sector
- **Talent development and training**
An overhaul of professional development is long overdue
- **Working conditions**
Conditions are currently optimised for organisations not freelancers
- **Inclusion**
Certain groups find themselves at a systemic disadvantage
- **Access to sector assets**
Publicly funded assets are in the sole control of organisations
- **A power imbalance**
Freelancers have no voice in the shaping of the sector's future

A year in the life

A year in the life

Those who run organisations, venues and professional bodies have commanded the sector's public narrative over the last 12 months.

The story of these institutions has been told and retold through the public remarks and the private lobbying of their leaders.

What follows is an attempt to tell the other side of the story.

Through a month by month record of the key events which have shaped the story of the performing arts workforce, this report offers a level of detail and specificity that has been absent from the conversation thus far.

As well as a timeline, we share insights based on our research which point to some of the more complex factors which have affected the workforce. Once again, the perspective is unapologetically freelancer-focused.

Whilst more substantive accounts of the sector's pandemic experience will doubtless emerge in the coming years, it is hoped that this summary of the last 12 months will help articulate why freelancers found themselves uniquely vulnerable.

March

- 12 Broadway shuts down**
Andrew Cuomo announces the closure of all Broadway theatres
- 16 UK theatres begin to close**
In the absence of clarity from the Government, theatres decide to shut their doors to audiences
- 20 CJRS announced**
Treasury launches 'furlough' scheme
- 23 First national lockdown begins**
A ban on public gatherings forces the official closure of theatres
- 24 ACE ERF announced**
An Emergency Response Fund of £160m in sector support is announced

On 16 March the Prime Minister advises the nation to avoid going to the theatre, whilst stopping short of mandating venues to close their doors. On 23 March, after seven days of confusion and uncertainty within the sector, the first national lockdown begins.

As those running theatres and organisations set about the business of 'unproducing' their seasons, refunding tickets and making safe their empty buildings, freelancers piece together a picture of the crisis to come from the emails they receive cancelling productions, workshops and tours.

While a few contracts are honoured in their entirety, the overwhelming majority are not. Sharp practice is rife and many freelancers go unpaid for work already undertaken.

Government support measures designed to safeguard permanent employees are announced in the form of the Job Retention Scheme (JRS). The self-employed are not offered a lifeline for a further 6 weeks.

Faced with a near blackout in communications, a sudden cessation of work and no income support from HM Treasury, the freelance workforce gets its first taste of the challenges that will come to characterise the next 12 months.

The communications crisis

Freelancers do not get laid off or made redundant, instead they simply cease to get work. Self-employed theatre makers are proficient in the art of managing portfolio careers, but never before have they been forced to piece together a survival plan in total darkness.

Without access to an HR department, a weekly company meeting or a reliable supply of information, the 'communications crisis' experienced by freelancers since March has been a major contributor to the income crisis that followed.

April

9

ACE ERF opens

The fund goes on to award grants averaging £2216 to 1624 theatre makers

30

SEISS launched

Due to flaws in the scheme's design, 39% of freelancers immediately find themselves ineligible

Less than 3 weeks after the first national lockdown is announced, Arts Council England (ACE) unveil a £160m Emergency Response Fund (ERF). 12.5% of the total fund is hypothecated to individuals. Fewer than 2000 theatre makers apply and 1624 awards are made.

Over the coming months, ACE adapt their existing funding mechanisms to support as many individuals as possible. By January 2021 the ERF, Project Grants and Develop Your Creative Practice funding streams have supported a combined total of 1968 individual theatre makers at a cost of around £6.6m.

On the last day of the month, 39 days after the JRS is announced, the Chancellor unveils the Self-Employed Income Support Scheme (SEISS). Whilst the scheme becomes an invaluable support for many, 39% of freelancers working in the performing arts find themselves ineligible to apply.

Meanwhile, permanent employees on the payroll of organisations experience no disruption to their income. It begins to become clear that the financial risk of the pandemic will fall disproportionately on freelancers.

The 'excluded'

Given the speed with which SEISS was created and launched, it is inevitable that it would contain flaws and inconsistencies. No financial instrument of this scale is likely to be perfect in its first iteration.

However, when these flaws were made apparent to HM Treasury, nothing was done to address them. To confront the limitations of SEISS and fail to correct them is a deliberate choice, not an inevitable consequence of a complex business model.

May

10 SEISS round 1 opens

This first grant is capped at 80% average monthly trading profit up to a maximum of £7500

21 Freelance Task Force mooted

An open letter spearheaded by Fuel and signed by dozens of organisations commits to funding a Freelance Task Force

23 George Floyd is killed

In Minneapolis, a 46 year old black man is killed by the police

28 Sector submits its case for support to Government

More than 2 months after theatres are closed, SOLT and UK Theatre submit a case for support

28 Freelancers Make Theatre Work

FMTW meet for the first time

May is dominated by a growing suspicion that the interests of freelancers are not being adequately represented in conversations about sector recovery.

DCMS expect to receive a data-led case for support which addresses the needs of the whole industry. In the absence of a single organisation which might make a moral claim to 'represent the sector', two membership bodies, SOLT and UK Theatre, put their names to a submission to Government. It attempts to cohere the challenges faced by theatre owners, commercial producers, touring companies and NPOs. Input into this document depends on access to those writing it.

No formal consultation with freelancers takes place in the process of creating the submission nor does the document articulate the scale or scope of the crisis facing freelancers. This data does not yet exist.

More than 100 organisations undertake to sponsor an individual to join a Freelance Task Force intended to 'amplify the voice of the self-employed in the conversations to come'.

Meanwhile, a group of theatre makers meet to create a place for the voice of freelancers to be heard. They settle on the name Freelancers Make Theatre Work.

Speaking as one

Performing arts freelancers are not represented by a single body but by a patchwork of unions and professional associations.

The inability of this workforce to speak with a single unified voice has undoubtedly been a major obstacle to advocacy, representation, communication and the advancement of a recovery agenda.

June

16 FMTW launches

Campaign and website go live

16 First meeting of FTF

Over 160 members of the new Task Force meet for the first time

17 Theatres host Town Halls

13 weeks after theatres are closed regular formal communication with freelancers begins

19 Big Freelancer Survey launched

It goes on to capture the largest dataset on freelancers ever assembled

23 Anti racism pledges published

Several theatres publish new pledges on their websites

29 Routes to Recovery published on FMTW website

The report details the scale and scope of the freelance crisis

With the sector case now in the hands of DCMS, independent lobbying continues via a variety of public and private routes.

An independent group of freelancers gain access to the SOLT and UK Theatres submission to DCMS and are troubled to discover that the sector case contains no workforce data nor any recovery plan for freelancers beyond a call to extend SEISS. They write *The Big Freelancers Survey* which receives 8000 responses. The group write the *Routes to Recovery* report. Articulating the scale of the crisis facing freelancers, this report is intended to function as an addendum to the sector case. It is unclear how far into DCMS this report travels.

Over 3 months since theatres close, Artistic and Executive Directors of NPOs begin to hold 'Town Halls' with freelancers.

The killing of George Floyd inspires global protest. Freelancers become increasingly active in encouraging organisations to hold themselves accountable for employment practices that perpetuate structural racism. Several theatres respond by publishing pledges. A few commit to undergoing deep systemic change.

The data deficit

If something cannot be measured, it cannot be managed. The sector has been severely disadvantaged by a 'data deficit'. Its data collection practices are historically poor, meaning that it relies on a small clutch of figures, primarily financial in nature, to make its case to Government.

Freelancers suffer disproportionately as a result of this data deficit. Operating without a specific tax code, the workforce is all but invisible to key agencies. Organisations are able to evidence the scale of their financial precarity. However, until The Big Freelancer Survey is conducted, the impact of the pandemic on the freelance workforce is largely a matter of guesswork.

July

- 2 **Dowden visits Palladium**
New safety measures demonstrated
- 4 **Pubs and restaurants reopen**
Daily positive cases fall below 1000
- 5 **£1.57bn Culture Recovery Fund**
15 weeks after theatres close, a Government support package is announced
- 6 **Theatre Artists Fund opens**
The fund goes on to award grants of £1000 to 5339 individuals
- 17 **Go-ahead for indoor performance**
Government permits indoor performances from 1 August
- 22 **ACE Project Grants reopen**
228 grants awarded to theatre freelancers in first round
- 31 **Indoor performances delayed**
The first indoor performances do not take place until late August

A month after the sector submits its 'recovery case' the Government announces a £1.57bn Culture Recovery Fund. The fund's name and its size are all that are made public: it will take the appointment of Sir Damon Buffini as Chair of the Culture Recovery Board and the input of HM Treasury, DCMS civil servants and a few trusted sector leaders operating through back channels to turn a press release into a mechanism for rescue.

Outdoor performances are allowed to commence and successful pilots of COVID-safe measures lead to the authorisation of Stage 4 of the Culture Secretary's 'roadmap'. Permission is given for socially distanced indoor performances to begin on 1 August. This date is soon revised to 15 August. Despite a similar drop in positive case rates, Broadway does not respond in kind.

On 8 July the Chancellor outlines his plan for jobs in a speech to the House of Commons. The words 'freelancer' and 'self-employed' are never spoken. Whilst the JRS is extended, a new round of SEISS is not announced until September. The resumption of indoor performances does not lead to a resumption of freelance employment at scale. SOLT and UK Theatres work with Sam Mendes to initiate the Theatre Artists Fund, provisioned for those who are not eligible for Government support schemes. Many freelancers are now reliant on hardship funds to pay their rent.

Town Halls

Many organisations invited freelancers with whom they have a relationship to a series of Town Halls. Although an end to what had been experienced as 'radio silence' was welcomed, these Town Halls were felt to have varied in tone and utility.

Attempts at ministering to the presumed wellbeing needs of freelancers were thought to be less successful than plain-talking information exchanges. Town Halls which offered little more than 'we miss you guys' were seen to exacerbate the sense that the buildings still didn't understand the specific challenges facing freelancers.

August

3 Job losses of permanent staff across the sector reach 5000

Comprising redundancies and lay offs of casual staff

10 Culture Recovery Fund opens

The CRF makes no direct provision for freelance workers

10 Pantomimes cancelled

Major theatres pull Christmas shows

23 SEISS round 2 opens

This second grant is capped at 70% average monthly trading profit up to a maximum of £6570

24 ONS survey reports arts sector as 'hardest hit' by the pandemic

23% arts organisations at risk of insolvency (national average: 11%), over 50% permanent staff furloughed

In August data revealing the extent of the damage caused by the pandemic on cultural infrastructure begins to emerge. Almost every major theatre is a month into redundancy consultations. Job losses within organisations have jumped from 3000 to 5000 since August. Over 50% of the permanent staff in the sector are furloughed, more than in any other industry.

Whilst the specifics of the Culture Recovery Fund are published on 10 August, it will take another 2 to 3 months for this emergency funding to reach the organisations who have made successful applications.

The CRF is provisioned to support cultural organisations 'to ensure that by 31 March 2021 they can reopen'. £258m is reserved for a second round of funding 'to meet the developing needs of organisations'.

Individuals cannot apply for the fund. 'Cultural recovery' has become synonymous with the preservation of cultural infrastructure. The best that freelancers can hope for is a 'trickle down' benefit, a hope that soon fades as it becomes clear that the majority of the sector have interpreted the application guidelines as requiring that organisations evidence lack of financial viability rather than readiness to engage in 'activity'.

If a tree falls in the forest ...

August sees data on sector job losses within organisations begin to be captured by the ONS labour market reports, published by organisations such as BECTU and debated in the House of Commons.

Due to the nature of freelance employment and the lack of a sector specific tax code, it is impossible to capture the equivalent data for the self-employed. When a freelancer goes out of business they do so so quietly that unless you're really listening, you won't hear a thing.

Consequently, creative freelancers continue to struggle to make their voices heard at HM Treasury, by the media, and ultimately by their own sector.

September

- 7 Operation Sleeping Beauty**
Dowden encourages theatres to open by Christmas
- 11 Freelance Task Force ends**
The three month project winds down
- 18 Theatres announce indoor shows**
71% of theatres take up Dowden's challenge to reopen for December
- 24 Chancellor's Winter Economy Plan**
Sunak commits to back only 'viable' jobs and announces a third round of SEISS at 20% of trading profits
- 24 Pubs forced to shut at 10pm**
The Government assures the sector that it is still on track for the recommencement of indoor shows

Encouraged by the Culture Secretary's *Roadmap*, the industry pushes to reopen with 71% venues reporting plans to return to in-person performances by the end of the year. Shows which go into rehearsal for a Christmas opening will later be forced to close after a handful of performances as much of the country enters Tier 3.

The Freelance Task Force members come to the end of their contracts. The project has many legacy benefits, not least of which is the thought leadership generated by smaller working groups and referenced in the *Further Reading* section of this report.

In contrast to his 'whatever it takes' budget 6 months earlier, the Chancellor's *Winter Plan* strikes a more sober note as he concedes that not every job can be saved. As the focus shifts to 'viability', the Job Retention Scheme becomes the Job Support Scheme.

A new round of SEISS is announced provisioned at 20% of monthly trading profits. One month later this will be revised to 40%, then to 55% and finally to 80%. While a more generous settlement is welcomed by those eligible for the scheme, the uncertainty created by these revisions makes financial planning near impossible.

Lead times

The live performance sector has longer lead times than hospitality, leisure and retail. Whilst the nimblest organisations are able to get a show in front of an audience in a matter of weeks, most organisations require around three months to bring a production to the stage.

The date for indoor performances to recommence is announced by DCMS with 10 days' notice.

It is not until September that the majority of theatres are able to get productions back into rehearsal. Many of these shows will only just have met their first audiences when the second lockdown begins on 5 November. Retail, leisure and hospitality will enjoy around 17 viable trading weeks between the July reopening and the November lockdown. Many theatres are lucky if they manage two.

October

12 **First batch of CRF grants announced**

29 weeks after theatres closed and 14 weeks after the CRF was announced, the first recipients learn of their awards. Batches 2 and 3 follow over the subsequent weeks.

12 **Fatima's next job**

On the same day that organisations are awarded their CRF grants, the Government publish an ad inviting freelancers to consider 'rebooting' their career by training in cyber security

21 **National Theatre reopens**

The NT joins other theatres in welcoming socially-distanced audiences

23 **Round 3 of SEISS increases to 40%**

The Chancellor announces that round 3 of SEISS will increase from 20% to 40% capped at £3750

The recipients of the Culture Recovery Fund are announced. £123.5m in grants is shared among 442 theatre organisations, a figure which represents less than 8% of the £1.57bn hypothecated to cultural recovery. The organisations whose need is so great that they are ineligible for grants will face a further 2 month wait before they find out whether their loan applications are successful.

The buildings, many still reeling from the impact of mass redundancies and forced to furlough up to 51% of their remaining employees, are finally able to model their financial recovery. As these organisations turn their energies inwards, freelancers report that communication begins to degrade once more.

With SEISS at 20% and no clear picture of when the sector will return to production at scale, it is impossible for individual theatre makers to model their own recovery.

The picture around the country is far from even. While the Bridge Theatre is coming to the end of a season of monologues and the National Theatre are about to open *Death of England: Delroy*, Leicester has been in lockdown since July. Liverpool and Manchester are soon to follow.

The 'trickle down fallacy'

When asked to identify the benefits of the CRF for the sector's 'supply chain', including its freelance workforce, the government repeatedly invoke a 'trickle down' effect. In reality, however, very little money trickles anywhere.

Many theatres elect to 'mothball' rather than risk the impact of new lockdowns. Those that reopen do so with radical reductions in both the number and scale of shows in production.

By January, DCMS will publicly claim that 'around 12.5% of business costs by CRF recipients will go to freelancers, artists and casual events staff'. The source of this data point is as yet unknown. Figures produced within the sector suggests that organisational 'spend' on freelancers has dropped by around 95% on the previous year.

November

2 Round 3 of SEISS increases to 55%

The Chancellor announces that round 3 of SEISS will increase from 40% to 55% capped at £5160

5 Round 3 of SEISS increases to 80%

The Chancellor announces that round 3 of SEISS will increase from 55% to 80% capped at £7500. No information is forthcoming about round 4

5 Second national lockdown

The country goes into a 4 week lockdown, theatres are forced to close, some only days after reopening to the public for the first time.

29 Round 3 of SEISS opens

Only 'viable traders' are now supported

The second national lockdown forces theatres to close once more, putting an end to the employment prospects of many.

By November it has become clear to most freelancers that there is little left to fight for. Despondency and resignation set in as many freelancers acknowledge that the size and scale of the challenge being faced by the freelance workforce will not be ministered to by the Treasury, the DCMS, ACE, the unions, the professional bodies or by the buildings and organisations on whose production the 'supply chain' depends.

Whilst the Theatre Artists Fund along with other benevolent funds and charitable trusts are working hard to mitigate the worst effects of the income emergency faced by freelancers, many campaign groups divert their energies to an emergent wellbeing crisis.

The trouble with SEISS

Unlike the JRS which became operational in March, SEISS did not open its application portal until May. On paper, each new round of SEISS is provisioned to cover the subsequent three months. In reality, due to the 'missing' 2 months of income support, the self-employed are effectively being paid 'in arrears'.

The fourth round of SEISS, provisioned to cover February, March and April, was only announced in the March 3 budget. At every stage, the ability of freelancers to plan ahead has been undermined by late announcements and revisions.

The fifth round of SEISS is intended to cover 4 rather than 3 months' income support. By September 2021, SEISS will fall short of the JRS by 3 months.

December

2 **Second national lockdown ends**
Some theatres reopen for Christmas

11 **CRF loans announced**
These target organisations requiring more than £3m to regain financial stability

14 **London goes into Tier 3**
The shows that opened just a few days earlier now close

18 **Round 2 of CRF announced**
Once again the Fund is provisioned solely for organisations

19 **London goes into a newly created Tier 4**
Plans for reopening in early 2021 begin to look unstable

30 **Much of the country in Tier 4**
New variant of the virus spreads around the country

Whilst some organisations cancelled their pantomime seasons in August, those that found a way to open a show in time for Christmas are forced to shut them again as the second national lockdown is replaced by a restrictive system of tiers.

Whilst initially buoyed by the positive messaging of DCMS and encouraged by National Lottery financing intended to mitigate some of the risk of reopening, sector leaders now accuse the Government of 'serial mismanagement'.

The recipients of the Culture Recovery Fund's repayable finance scheme are announced. 11 companies including the RSC and the National Theatre sign up to loans averaging £15.1m. The crown jewels now owe a king's ransom.

A second round of Culture Recovery Fund grants and loans is announced on 18 December. Whereas DCMS had earlier stated that £400m of contingency funding had been held back 'to respond to the changing public health context', the new guidelines attempt to re-provision this money to help organisations 'transition to a viable and sustainable operating models during April to June 2021'.

The small print

The much vaunted £1.57bn 'rescue package' was designed to support the cultural sector achieve viability by April 2021. As the pandemic worsened, rather than announce a new injection of Treasury funding, the bailout has simply been spread across a longer timeline.

Rather than using the £400m 'hold back' to support organisations who were unsuccessful in their round 1 applications or provisioning it for freelancers, it will now be used to support the organisations regain viability by June 2021. Round 2 of the CRF will not support a greater cultural recovery. It will merely support a more drawn out cultural recovery.

January

1 The UK leaves the EU

The moment deals a devastating blow to a 'global' sector

4 Third national lockdown

Theatres contact freelancers to cancel plans for early 2021

6 PM denies Excluded UK

The Prime Minister rejects the Leader of the Opposition's calls for support for the 3 million self employed who are ineligible for SEISS

13 Visa-free travel row

PM agrees to urgent meeting

22 44% drop in female minority ethnic arts workforce

ONS employment data reveals disproportionate impact of pandemic on women of colour

Chastened by the experience of two 'false starts' and stymied by a third national lockdown, most organisations begin the year by abandoning their plans for January, February and March. Those freelancers who had been able to find jobs are once again on the receiving end of emails cancelling productions, workshops and development work. These emails arrive too late for many to seek alternative employment.

Only the best resourced and most scrupulous organisations are able to share the financial risk of these cancellations with freelancers. Most simply defer both the work and the fee to an unspecified future date. With no work, no timeline for reopening and no word from HM Treasury on the size of the fourth SEISS payment (or whether it will be adapted to accommodate those who have thus far been excluded), a depleted workforce finds itself in an even more compromised position than in March 2020.

Fears that the financial precarity induced by the pandemic has fallen disproportionately on people of colour seem to be confirmed by an ONS survey which suggests that the exodus from the sector predicted in *Routes to Recovery* is well underway. A 44% drop in female arts workers of colour suggests that racial inequalities in the labour market have been exacerbated.

Toxic optimism

When the third national lockdown necessitates the 'unproducing' of thousands of new projects, the sorrow is shared by the organisations and the freelance workforce. But the risk is not.

As freelancers are forced to absorb the financial consequences of cancelled contracts and deferred payments, the optimism of producing organisations pushing for a return to 'business as usual' begins to look dangerous.

Producing organisations undertake a risk assessment before green-lighting a new project. However, these risk assessments do not measure the risk of cancellation or postponement to freelancers, only to the organisations themselves.

Little wonder that many freelancers are experiencing the negative consequences of the sector's positive thinking.

February

2 Mental health warnings issued

Three support organisations report increases in 'mental health first aid' calls

5 Pay freezes announced

UK Theatre and BECTU agree a temporary contract variation which freezes pay and lowers overtime rates

8 New York's Open Culture programme

A 6 month programme of 'pop up' art and culture is launched to drive the economic revival of the stage

8 Hardship funds under pressure

Seven major benevolent funds report a significant increase in applications

22 PM announces new 'Roadmap'

'Not before' dates are published for live performance with and without social distancing

Evidence of the impact of 11 months without employment on the freelancer workforce begins to emerge. Hardship funds report a spike in applications and mental health support organisations warn of a growing crisis.

The US Congress passes a stimulus bill which includes \$15bn in relief to cultural institutions. A separate Restart Act, complete with a new package of financial stimulus, is expected in the coming months.

Aware of the role art and culture plays in stimulating inward investment, New York City commits to a 6 month 'Open Culture' programme with pop up events appearing all over the city. By contrast, the UK's performing arts sector have not been folded into the narrative of the nation's recovery.

On 22 February, the government publishes its new 'roadmap'. Whilst 21 June is listed as the 'no earlier than' date for the resumption of 'normal' live performance, producers and managements are eyeing October instead. Wary of their previous optimism, sector leaders urge caution rather than celebration.

Experienced freelancers continue to regard work scheduled for 2021 as vulnerable to cancellation and postponement.

An English problem

On February 11, the Welsh government made a further £8.9m available to freelancers as part of its own Culture Recovery Fund. One day later the Scottish government pledged £9m for its Hardship Fund for Creative Freelancers. Unlike ACE project and creative practice grants, the Scottish and Welsh funds are intended solely as 'hardship' measures.

Whereas ACE funding tends to privilege certain specialisms such as writing, directing and producing, the Scottish and Welsh funds list over a hundred qualifying specialisms. The lack of provision for English freelancers in technical and craft-based disciplines is likely to impact upon the speed and sustainability of sector recovery.

March

3

Budget day

The Chancellor announces a range of measures designed to steward the country through the next stage of the pandemic.

16

1 in 4 freelancers out of business

A year after theatres closed their doors, a SOLT / UK Theatres survey reveals that at least 25% of performing arts freelancers have gone out of business

Five months after announcing a fourth round of SEISS, the Chancellor finally sets the grant at 80% of trading profits. A fifth round, provisioned to provide income support until September is also announced.

Those who are newly self-employed are now eligible to apply. However, the 'newly self-employed' only represent 6% of the 'Excluded' performing arts freelancers.

Despite the sector's lobbying, government-backed insurance and extension to theatre tax relief are not forthcoming.

An extra £300m is allocated to the Culture Recovery Fund. Whilst some changes to the way the funding is allocated are expected, it is likely that round 3 of the CRF once again goes directly to buildings and organisations.

Furthermore, the National Audit Office report that the CRF has yet to pay out £335m of the money provisioned for cultural rescue. This further weakens the DCMS's claim that freelancers are benefitting from the 'trickle down' effect of government support.

One year on

Twelve months on from the moment theatres closed their doors, the impact of the pandemic has exceeded the 'worst case scenario' that DCMS had planned for.

The SOLT / UK Theatres One Year On survey reveals that 95% of theatres are worse off because of the pandemic. 1 in 4 freelancers are reported to have ceased trading altogether.

Arguably, however, the true impact of COVID-19 on performing arts freelancers is yet to be felt.

Learning the lessons

1. Share the risk of cancellations and delays with the workforce

The accounts we have received of sharp practice from producers and organisations in the early stages of the first national lockdown make chilling reading. Sadly, few lessons seem to have been learned between March 2020 and January 2021. Because incomes have been decimated by the pandemic, the latest round of cancellations and postponements have hit the workforce even harder than the first.

Our reporting suggests that few organisations are committing to honour the payment of full fees upon a show's cancellation, instead offering only 'signature payments'. Organisations are more able to write off these losses against reserves or to underwrite the risks they face with grants from the Culture Recovery Fund. However, the 'cushion' of savings that many freelancers use to even out their income over the course of a year has been depleted over the course of the pandemic. Freelancers no longer have any reserves. Just like in the early days of the pandemic, freelancers are bearing far more than their fair share of the sector's risk.

Temporary COVID-19 variation agreements which require freelancers to absorb the impact of pay freezes and reduced overtime rates are already beginning to emerge. The poverty of the workforce is highly

coercive. Individuals are highly vulnerable to exploitation by dint of the fact that many of them are facing desperate financial struggles. The fear is that these 'temporary' agreements will become permanent and that when the sector staggers back to some sort of financial health, benefits will not revert back to freelancers.

Should the sector find itself in this position again it is vital that contracts are in place that make fair provision for cancellation and postponement. The freelancers of the future must never again be asked to shoulder a disproportionate share of the sector's financial risk.

2. Create a federation of performing arts freelancers

Performing arts freelancers currently belong to a number of unions, professional bodies and informal networks. Arguably they would have fared better over the course of the pandemic if they had joined together to form a more powerful alliance. It was to Horace Trubridge, the General Secretary of the Musicians Union, that DCMS turned to gain insight into the impact of the pandemic on musicians. However, when Parliamentary Select Committees sought representation from the theatre sector, it was to the head of a members' body for West End venues and the owner of a commercial theatre group that they turned.

Whilst many such sector 'spokesmen' have used their public platforms and private channels to champion the workforce, they have often done so without the detail, data or expertise necessary to articulate the specifics of the freelance problem.

No freelancer or head of a freelance-led organisation was able to make a moral claim to a seat at the 'top table'. The creation of a federation of performing arts freelancers would go some way towards addressing this.

3. Locate a clearer channel of communication with the workforce

In a pandemic, information is a precious commodity. Whilst the past year has seen sector leaders who would previously have seen each other as 'rivals' come together in various combinations to share networks of information, that information has rarely made it back to the workforce.

The insights that were offered by medical and policy experts in the weekly Zooms held by Artistic Directors and Executive Directors, along with 'off the record' steers passed through back channels were used to help plan and replan theatre openings.

Those same insights would have had enormous value for freelancers who have been in a state of information poverty since the pandemic began. This communication problem has exacerbated the workforce's income problem. At almost every stage, sector leaders have been privy to estimates and tip-offs which, if they had been shared with freelancers, would have helped individuals to shape their own strategies for survival. The tendency to hoard rather than share privileged insight into potential reopening dates, government strategy and incoming challenges has likely cost freelancers significant sums of money at a time when they had none to spare.

Were such a pandemic to strike again, the sector might consider how to convert the best information it receives into 'not before' dates for freelancers who would then be able to determine whether they should be looking for alternative employment or simply waiting by a phone.

This communications challenge works both ways. Whilst those who run organisations have been consumed with their effort to preserve the cultural infrastructure of the nation, freelancers have found it difficult to offer timely and practical ideas back to organisations. If there had been a more open channel of communication by which initiatives for activity created by freelancers could have been shared with those organisation, a report of this nature would not have been necessary.

One final irony should be noted: most of the work that freelancers undertook to create the models, policies, ideas and interventions detailed in the Consulted Sources section of this report, they did pro bono. Whilst those working within organisations were, by virtue of their salary, being paid to contribute to discussions about sector recovery, freelancers were not. Many freelancers are simply unable to afford to contribute to a conversation that will affect their lives for years to come.

4. Source the ideas for workforce recovery from the workforce itself

Sector leaders have often used their public platforms to draw attention to the crisis facing freelancers. It is notable, however that beyond lobbying HM Treasury to extend SEISS, they have not offered any practical mechanisms for workforce recovery. From the initial submission of the sector case to government, through to Parliamentary Select Committee hearings, TV and radio appearances, newspaper interviews and Town Halls, 'extend SEISS' seems to be the only idea on the table.

Had these individuals been in a position to commission freelancers to propose the means of their own recovery, they might have found themselves with more than one song to sing. Consumed by the difficult decisions the pandemic has forced them to make within their organisations, sector leaders were in no fit state to propose the mechanisms for workforce recovery. But crucially, they didn't engage the workforce itself in that project.

Were the sector to find itself in a similar position in the future, we recommend that they utilise the creativity and expertise of freelancers to source models and solutions.

5. Find a more effective way to talk to government

The nation's cultural sector has spent decades struggling to find a language with which to speak to government. Since the inception of the Arts Council in 1946, the sector has perpetually been forced to make and remake a case for itself. By the beginning of 2020 the sector case was principally economic in nature: the arts operates as an 'investment multiplier' with the capacity to return billions in revenue to HM Treasury.

However, it is likely that these arguments along with the figures that accompany them have become a little stale over the course of the pandemic. Nor does this line of attack make sense for the sector as a whole: if the arts are valued only for the economic growth they drive, why save Theatre Peckham? Why Graeae? Why Hull's Middle Child?

Having sought to commodify the value of the arts in purely economic terms, the sector may have inadvertently corroded the real value of the activity being priced.

Our colleagues in the United States are far more effective in producing extended, evidenced studies of the ways in which the arts impact upon health outcomes, stimulate inward investment and contribute to

wellbeing and community building. By contrast, our evidence is largely anecdotal.

If the block to better funding is the sector's inability to demonstrate its impact on the nation beyond the amount of money it returns to the Exchequer, we need to commission those impact studies.

DCMS has begun to create a new metric of Cultural Heritage Capital by which to 'help government and private organisations consider the value of culture and heritage to society.' Their aim is to provide a framework by which 'benefits provided by culture and heritage assets' can be measured. This framework will connect to HM Treasury's Green Book, a publication which helps central government make decisions about how public money is spent.

Given how important this framework is likely to become, it is essential that the sector inputs into its creation and learns how to use it in its advocacy.

6. Reshape the public narrative around freelancers

The fact that DCMS does not have a perfect understanding of the performing arts sector has become apparent over the course of the pandemic. In their struggle to master the detail of a notoriously complex ecology, they have still not grasped the fact that the creative leadership of the sector sits with the freelancers.

Were we to find ourselves in a similar position again, freelancers could usefully be positioned in the public discourse as the sector's innovators, a vast, mobile workforce of cultural entrepreneurs who move between campuses driving creativity and connecting with audiences of all backgrounds.

It might be hard for the government to reconcile the fact that these individuals are the 'rock stars' of the sector given that they're so badly paid but characterising them in the language of hardship and helplessness is unlikely to have helped. The fact that freelancers were decimated by the pandemic indicates that something is wrong with the way the sector is currently structured, not that they are, by their nature, 'charity cases'.

We will never know whether the Culture Recovery Fund was

provisioned towards organisations rather than freelancers because of the government's preference for shareholder capitalism over stakeholder capitalism or whether the value of freelancers to the sector had simply been 'undersold'. Either way, if we do not acknowledge that our theatre makers are high-value specialists whose skills are sought after across the world, we cannot expect them to be treated as such.

7. Improve data collection practices

The pandemic has exposed the sector's relatively low literacy around data collection. As the written evidence submitted by SOLT and UK Theatres to the Public Administration and Constitutional Affairs Committee makes clear, whilst government understands that the performing arts plays an 'important role within the tourism, hospitality and retail sectors, the inability to quantify that impact has delayed ... the government's response to support the sector, and even now impedes decision-making to enable its recovery'.

The atomised nature of the performing arts and its historic aversion to good data-collection practices has had an acute impact on freelancers. The sector holds no data on its workforce. Whilst the SOLT and UK Theatres' submission to DCMS contained compelling statistics about the economic impact of *There's Something About Jamie* and *War Horse*, it offered only one data point relevant to freelancers, namely the size of the workforce. Ironically, that number is itself an estimate.

Because the sector is not data-literate, its instinct when the pandemic struck was not to commission a survey of workforce impact. That piece of work was done by freelancers. The *Routes to Recovery* report as well as *The Big Freelancer Survey* upon which it was based was written pro

bono by freelancers, supported by SDUK and promoted by Freelancers Make Theatre Work and Curtain Call. By the time the results were analysed and processed, the SOLT submission had already been sent to DCMS.

Improving data collection practices with a particular focus on the workforce will help ensure that the sector is never caught short in the same way again.

8. Use freelancers to make good on the sector's commitment to the public

In years to come, the sector might begin to wonder whether it missed an opportunity to make a significant contribution to the wellbeing of the nation over the course of the pandemic.

Theatre likes to think of itself as a vital emergency service for the communities it serves, as necessary to the lives of its audiences as the NHS. Arguably that conception has been challenged by the pandemic.

Many individual organisations have managed to maintain contact with their communities and deliver on their commitments to schools and students. However, large scale programmes of 'public works' were made all but impossible by the consuming work of financial remodelling, redundancy planning and application writing.

In a future pandemic, the sector might be encouraged to commission significant numbers of freelancers to devise, plan and deliver work of genuine value to the public. By using freelancers to expand organisational capacity, the sector might be better placed to make good on its commitment to the nation.

9. Ensure that sector leadership looks more like the workforce

Whilst the announcement of the government's 'rescue package' initially seemed promising, the fact that it was accessible only by organisations has implications for the diversity of the sector.

By provisioning the Culture Recovery Fund directly towards a permanent workforce which is 82% white identifying and away from freelancers, the group which contains 86% of all people of colour working in NPOs,¹ long standing inequities have been exacerbated.

There is an unmistakable racial dimension to the shape of the sector's recovery.

It is hoped that future iterations of the Culture Recovery Fund will finally create some benefit to the workforce, and therefore to the diversity of the performing arts. However, the long-term strategy of the sector must surely include reform of those organisations that public money has helped to preserve.

¹ <https://freelancersmaketheatrework.com/wp-content/uploads/2020/07/Routes-To-Recovery.pdf>

Learning the lessons

- 
- **Don't allow freelancers to shoulder all the risk**
Honour contracts for work that is cancelled or postponed
 - **Create a federation of performing arts freelancers**
Invest in a body through which freelancers can speak in one voice
 - **Locate a clearer channel of communication**
Ensure that freelancers are not kept in the dark
 - **Involve freelancers in the work of recovery**
Source the ideas for workforce recovery from the workforce itself
 - **Find a more effective way to talk to government**
The arguments we have been using for a decade need refreshing
 - **Reshape the public narrative around freelancers**
Ensure that stakeholders understand the story of the workforce
 - **Improve data collection practices**
Improved data literacy will aid lobbying and targeting of relief
 - **Make good on our commitment to the public**
Use freelancers to attend to the cultural life of the country
 - **A leadership which looks more like the workforce**
Build organisations as diverse as the freelance workforce

Recommendations

The short term

The immediate challenge

It is barely possible to imagine a business model *less* able to withstand the impact of a global pandemic than that of a freelance theatre maker. COVID-19 has both magnified the long-term problems which faced freelancers in early 2020 and added new challenges:

1. An income emergency

For the 1 in 3 freelancers ineligible for Government support, the income emergency never ended. In his budget of 3 March, the Chancellor amended the conditions attached to the fourth and fifth rounds of SEISS. However, these changes will only help an estimated 6% of those previously excluded from the scheme. As most individuals commit to their personal outgoings at the level of their projected income, it would be dangerous to assume that even the most apparently 'secure' or 'high profile' freelancer is immune to the financial impact of the pandemic. Our reporting suggests that nobody is OK.

2. A retention crisis

Early evidence suggests that artists, craftspeople and technicians of unique promise have left the sector. Those who are now working in other industries cannot be 'bought back' with two day workshops or £300 jobs. The longer theatres stay closed, the more likely it is that those lost to the sector will be unable to find a path back.

3. COVID-19 and the workplace

It is clear that the UK will be living with COVID-19 for a long time to come. Policy debate has shifted from 'eradicating COVID' to 'managing COVID'. It is essential that the performing arts sector uses this moment to interrogate its strategy for recovery in the light of a 'managed pandemic'. Whether or not employers will be able to insist on vaccination as a condition for employment is as yet unknown. However, progress on inclusion will be lost unless the sector devises a strategy which ensures that freelancers who are clinically vulnerable do not face barriers to return.

COVID-19 protocols in the workplace have significant effects on the way work is produced. Those who have made 'in person' performances over the last 11 months confirm what our colleagues in film and TV have reported. Work takes longer to make, costs more as a result of testing regimes and new personnel, and carries the uncertainty of sudden postponement or cancellation.

Freelancers engaged to create and deliver programmes of work over the next 8 months will be required to learn a new language of behaviours and protocols.

The income emergency

01

Protect the 'excluded'

1. A fourth round of SEISS was announced in October 2020. However, details of the scheme were not made public until the Chancellor's March budget.
2. Prior to the budget announcement, 36% of freelancers were ineligible to apply for SEISS. Whilst the fourth and fifth rounds of grants now include the recently self-employed, they still exclude 34% of freelancers.
3. **Sector lobbying must focus on ensuring that the freelancers who have thus far derived little or no benefit from the scheme are compensated.**

Rethink the sector's hardship strategy

4. Whilst the Welsh and Scottish governments have launched a Hardship Fund for Creative Freelancers offering one off monetary contributions to mitigate the worst effects of the income emergency, no government-led scheme exists in England.
5. England's 'hardship provision' is currently being led by The Theatre Artists Fund, The Equity Charitable Fund, The Theatrical Guild, The Fleabag Support Fund and other such charities and benevolent trusts.
6. Between them they have awarded over £9m in hardship grants since the pandemic began. Help Musicians UK have provided £14.7m in support.
7. These organisations report a significant spike in applications since December.
8. The extent to which these hardship funds have been depleted by the pandemic

The income emergency

01

is unclear. If the funds on which freelancers have been forced to depend are themselves struggling, the sector will need to rethink its 'hardship strategy'.

9. It may well be time for some of these funds to pivot away from hardship and towards skill retention and training, measures for which are detailed in the next section.

Acknowledge the limits of the Culture Recovery Fund

10. Prior to the pandemic, arts organisations spent 39.4% of their annual turnover on freelancers. Estimates suggest that current restrictions have brought that figure down to 5%. The government's insistence that 'the best route for re-employing freelancers' is the reopening of cultural venues 'as quickly as possible' is undermined by the facts of the pandemic. Every month that passes before authorisation is given for Stage 5 reopening reveals the limits of trickle down' thinking.
11. The notion that workforce recovery can only be achieved as a consequence of reopening must be challenged. There are hundreds of ways of engaging freelancers in the work necessary for sector recovery that having nothing to do with 'putting on shows'.
12. **The third round of the Culture Recovery Fund must broaden its definition of 'activity' to include training, skill retention, innovation and public works.**
13. Freelancers have written and modelled dozens of proposals for such activity over the course of the pandemic. Our reporting suggests that these proposals have rarely been sought or welcomed by sector leaders.

The income emergency

01

14. We recommend that a working group is formed in which the creators of these models join with a coalition of Executive Directors and individuals with a direct line to DCMS to propose:
- An innovation programme led by freelancers and dedicated to capturing and piloting new ways of engaging with audiences
 - A training programme led by senior freelancers which re-designates 'dark venues' as training centres where freelancers can be upskilled in preparation for reopening

The retention crisis

02

Engage with the scale of the retention crisis

1. The income crisis has led to a retention crisis within the sector. Unless this is attended to, the ability of the performing arts ecology to recover swiftly and sustainably will be compromised.
2. Given that no records are kept, it is impossible to know exactly how many freelancers have permanently left the industry. However, early indications suggest that losses are likely to be consequential.
3. The *Routes to Recovery* report demonstrated that the groups most likely to leave the sector are D/deaf and disabled workers, people of colour and early career freelancers. This is already being born out by labour market research. A 44% drop in black and minority ethnic female arts workers has been recorded by the most recent ONS study.
4. Curtain Call estimates that significant numbers of freelancers in the craft and technical disciplines have relocated to TV and film. Producers and casting departments report that many recent graduates and early career freelancers have relocated to family homes, giving up rental properties in London and Manchester in order to lower their overheads.
5. Our reporting suggests that freelancers are increasingly prioritising long-term employment opportunities in other sectors over short-term contracts which keep them available for performing arts work at short notice.
6. If the sector is to 'buy back' its freelancers, it cannot do so with two-day projects, £500 grants or week-long training courses.

The retention crisis

02

7. A recent Freelancers Make Theatre work survey evidenced a strong preference for a 'skills based recovery' over hardship provision.

Invest in the retention of key skills

8. It is imperative that the sector takes the necessary measures to retain skills and specialisms essential to its operation.
9. A working group comprised of freelancers, representatives from benevolent funds, NPOs and commercial theatre owners should be convened in order to devise a skill retention strategy that will:
 - Employ senior freelancers to devise a three month programme of skill retention and upskilling within each specialism and discipline
 - Assign each participating venue to a single discipline, making it a temporary 'centre for excellence' within that practice field
 - Utilise the opportunity afforded by shuttered venues full of cutting-edge technical equipment to train and innovate
 - Provide substantial training bursaries for participating freelancers, allowing them to commit to the programme for 3 months
 - Assign freelancers to organisations in order to increase their delivery capacity for digital work, schools provision and community engagement
 - Determine paths for progression for the participating freelancers in order to create legacy benefits
10. In the third round of the Culture Recovery Fund, we recommend that innovation, upskilling and increasing organisational reach and capacity be designated as 'priority activity' for eligible organisations.

COVID-19 and the workplace

03

Create a sector-wide strategy for the return of live performance

1. On 11 May 2020, BEIS and DCMS published *Working safely during coronavirus* guidance for the performing arts.
2. Venues and production companies have instituted new protocols in response to this guidance. However, these protocols vary significantly between organisations. Whereas the permanent staff of each organisation only need to adapt to one new way of working, freelancers will need to engage with many.
3. We predict that this variance in working methods will lead to confusion and comparison, with some freelancers feeling less 'safe' in certain workplaces.
4. Forwarding a document detailing 'prohibitions' is likely to lead to major inefficiencies in the way work is created unless it is accompanied by guidance on how to make the project work. Whilst standardisation across the sector might not be possible or desirable, it is incumbent upon employers to maintain a 'storehouse' of information which freelancers can access before beginning work on a new project.
5. **We recommend that organisations begin to build up libraries of video clips, backstage footage, photographs and notes which can be passed on to each new team. The *application* of the guidance is of more value than the guidance itself. That good practice should be recorded and shared across the sector.**
6. If there is significant variance between the protocols implemented by different organisations, poorly-inducted freelancers will bring a 'drag factor' to every project. Unless this is mitigated, making work in the era of 'COVID management' is likely to be expensive and inefficient.

COVID-19 and the workplace

03

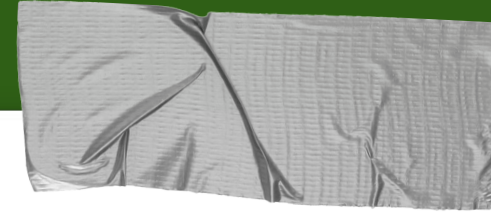
Ensure that the sector's recovery is inclusive

7. Freelancers who are in the most 'at risk' groups, including those on the clinical vulnerable register and those with underlying health conditions will be disadvantaged by a sector recovery which fails to engage with their needs and concerns.
8. Deafinitely Theatre, Graeae and Extant have unrivalled expertise in understanding the barriers faced by those whom the sector has historically excluded. These organisations and others working in similar fields must be part of the consultation on sector recovery.

Consult freelancers on vaccine strategy

9. Whether employers are able to insist that contracts are only awarded to freelancers who can provide evidence of vaccination remains to be seen.
10. Unless a sector strategy for workplace protection is devised, the question of vaccines is likely to be a divisive one.
11. We recommend that representatives from unions, professional bodies, producing organisations and NPOs are joined by freelancers from different practice settings (schools, rehearsal rooms, community, prisons) to:
 - Seek advice on the statutory rights and responsibilities of employers and employees
 - Scrutinise the ethics of emergent proposals
 - Ensure that the sector's return to work strategy is inclusive

The short term Recommendations



→ The income emergency

- Campaign for the 34% of freelancers still excluded from SEISS
- Pivot hardship funds towards skills development and job creation

→ The retention crisis

- Lobby for the Culture Recovery Fund to designate innovation, upskilling and increasing organisational reach 'priority activity' for eligible organisations

→ COVID-19 and the workplace

- Share best practice for working with new guidelines across the sector
- Consult with experts from existing organisations to build an inclusive recovery
- Work with freelancers to determine a sector-wide 'vaccines in the workplace' strategy

Recommendations

The long term

The work of change

An appetite for change

While the pandemic has decimated both the finances and the morale of performing arts freelancers, it has not affected the talent, craft or creativity of this world-beating workforce of 250,000. COVID-19 has presented the sector with an operational problem on an unprecedented scale. However it has not removed the ability of artists, craftspeople and technicians to make a significant contribution to the culture of the nation.

Whilst the workforce is desperate to connect with audiences and communities once more, the return to 'business as usual' fills most with dread. As this report demonstrates, 'business as usual' connotes:

- highly insecure business models
- economic exploitation
- poor working conditions
- lack of inclusivity
- inability to shape or determine sector strategy

Throughout every network of freelancers we surveyed, one common cry resounded: 'something good *has* to come out of this'.

There is a huge appetite for change across the sector. Indeed, no recovery is possible without it: the workforce that producing companies and organisations said goodbye to on 23 March 2020 is not the same as the workforce who will return as the sector rebuilds.

Freelancers are wiser, savvier, angrier even. But they are also more determined than ever to take advantage of a new porousness that has emerged during the pandemic to unite with NPOs, commercial producers, unions, professional bodies, policy makers and experts to work towards an 'anti-fragile' future.

By seizing this moment to solve the problems freelancers faced pre-pandemic, the sector will be able to ensure its resilience for decades to come.

The work of change

What change looks like

Whilst competing visions of the future of the industry are inevitable, our interviewees were clear about what change *doesn't* look like:

- Change is not a manifesto or mission statement
- Change cannot be effected solely through setting new targets
- Change is not 'a listening exercise' or 'a conversation'
- Change will not come by simply appointing freelancers to boards
- Change does not require a second report of this nature

Instead, it is a combination of 'deep systemic remodelling' and a purposeful challenge to old ways of thinking which will have the greatest impact on the future of the performing arts. The change most freelancers crave is practical in nature.

To this end we recommend the immediate formation of a series of cross-sector working groups, each tasked with attending to the short term and long term challenges identified in this report. These groups should be guided by data and expertise, calling in tax, finance and legal specialists as required.

Recovering together

The work of change is not the sole responsibility of any one group. The recommendations that follow are not petitions to the powerful. Indeed if we have learned one thing over the last 11 months it is that the atomised nature of the performing arts ecology is its greatest weakness.

This report demonstrates how decades of arts policy and underfunding have incentivised organisations to compete for money and attention. Consequently, cooperation, resource-sharing, efficiencies of scale and the implementation of best practice are not in the DNA of the sector. The success of the UK's Vaccine Task Force is largely attributable to the willingness of disparate companies, agencies and individuals to work together for the common good. Until we are able to reform the funding structures of the sector to reward cooperation between freelancers and organisations, we must put temporary measures in place to achieve both 'quick wins' and lasting change.

The work of change

The core of the work

There is no recovery possible for the sector without the freelancers. Government may have prioritised cultural infrastructure at the expense of cultural entrepreneurship, but we cannot make the same mistake.

In an ecosystem as complex and interconnected as the performing arts, what is good for an early career freelancer working on their first studio show is good for the commercial producer transferring a production to Broadway. The recommendations outlined on the following pages are intended to contribute to the building of a more resilient future for the sector.

What is required is simply a more equitable distribution of pressure across the sector. If the performing arts industry is to reach new audiences, discover new voices, expand into new marketplaces, spend public money wisely, reflect wider calls for equity across society and retake its place at the heart of the nation's culture, the work of change must begin now.

Employment status

01

- Sick pay
- Maternity and paternity pay
- Holiday pay
- SIC codes
- Tax-free saving products
- Ineligibility for Universal Credit
- Pension contributions
- Protection under the Equality Act 2010

Lobby for greater employment protections

1. The self-employed are, and always have been, subject to fewer ‘protections’ than employees. De-risking the profession is not in the sector’s gift. However, there is important work to be done both in lobbying government for legislation and guidance change and in finding new mitigations for that risk.
2. We recommend that working parties made up of specialists from within organisations, freelancers and expert consultants are convened to:
 - Lobby government for the legislation and guidance change necessary to ensure that the self-employed are granted more protections
 - Make representation to HM Treasury on benefits and social security
 - Ensure that freelancers derive benefit from the government’s renewed focus on training and skills, ideally by making skill development tax deductible
 - Ensure that any changes made to self-employed tax arrangements post-pandemic do not adversely affect performing arts freelancers
 - Lobby to ensure that future tax reforms contain exemptions for the 34% performing arts freelancers who are ineligible for SEISS
 - Consider the viability of the radical proposal for change detailed on page 123 of this report.

Investigate the implications of the Uber ruling

3. The recent Supreme Court Uber ruling may well have broader consequences for the labour market. The case concluded that Uber drivers are controlled by

Employment status

01

a restrictive employment model which renders them unable to increase their income using 'professional or entrepreneurial skill'. Whether or not this applies to the freelance theatre economy is unexplored, although pre-pandemic, HMRC were considering theatre as part of a broader look at the 'gig economy'.

Lobby for an industry wide SIC code

4. If performing arts freelancers cannot be seen, their needs cannot be recognised. We recommend that self-employed individuals be allowed to define their own business activity using the appropriate SIC code(s) in the same manner as a company.

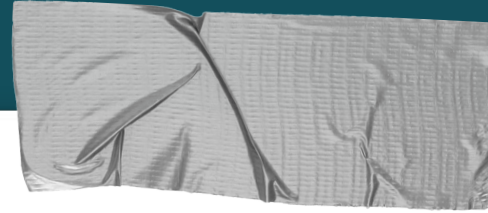
Identify freelance-friendly savings products

5. Financial expertise should be sought by these working groups to explore the viability of savings products, such as the Lifetime ISA, for performing arts workers.

Reexamine pension provision

6. Consideration should be given by these working groups to pension provision.
7. If the sector is to continue to operate on a model which outsources its creative leadership to a freelance workforce, the aim must surely be to replicate as closely as possible the securities and protections that these individuals would benefit from were they to be added to the payroll of cultural organisations.

Employment status Recommendations



- **Advocate for greater protections**
 - Lobby for greater employment protections
 - Campaign for advances in benefits and social security
 - Make skills development tax deductible
 - Secure the future of self-employment
 - Lobby for the 'excluded' to be exempt from tax rises
- **Investigate the implications of the Uber ruling**
- **Lobby for an industry wide SIC code**
- **Identify freelance-friendly saving products**
- **Re-examine pension provision**

Fair pay

02

- Invisible labour
- Late contracts and late payments
- Lack of transparency
- Fair pay
- Freelancer input into pay scales
- 'Opportunity not job' culture
- Low pay as a block to inclusivity
- Profligacy with freelance time and labour

COVID-proof freelance contracts

1. The financial impact of the pandemic has forced some organisations to lower production costs. However, freelancers are simply not in a position to offer discounted rates. The responsibility is on organisations not to ask freelancers to subsidise their recovery.
2. The economic vulnerability experienced by freelancers is coercive. It means that individuals are more likely to say yes to conditions they would have rejected a year ago. It is essential that unions and professional bodies resist efforts to alter contracts, fees and working conditions in such a way that freelancers are further disadvantaged.
3. Nor can the risk of cancellations and postponements be allowed to fall disproportionately on the performing arts workforce. **We call for organisations to underwrite their own losses and to pay freelancers the entirety of the project fee upon postponement or cancellation.**
4. We recommend that exploitative practice is reported and addressed on a sector-wide level. **Further, we suggest that 'temporary' adjustments to contracts are given a specific end date lest they become permanent.**

Reform contracts and fees

5. A reform of fees and contracts is long overdue. **A cross-sector working party should be convened to construct more equitable rules of engagement between freelancers and employers. This will require an investigation into current fee payments and organisational budgets.**

Fair pay

02

6. Consideration should be given to the ways in which artists, craftspeople and technicians in the US are protected by industry wide fee agreements and standard contracts.
7. Our analysis suggests that many of the demands placed on the workforce by organisations are not intended to exploit freelancers. Rather, they are made by salaried employees who are not conversant in the freelance business model. We recommend that Senior Management teams across the sector ask their 'freelance-facing' employees to engage with the *Business Model* section of this report.
8. Furthermore, we suggest that organisations undertake to educate their employees in what their freelance contracts cover and, crucially, what they don't.

Institute a 'fair trade' standard

9. Freelancers should be paid and treated as ethically as permanent employees. **In the retail sector, the Fairtrade mark is used by businesses which adhere to a set of recognised standards around pay, working conditions and progress requirements. A similar 'kitemark' could be developed for fair trade employers in the performing arts sector.**
10. Our research indicates that fair trade standards would need to ensure, at minimum, that:
 - Contracts are negotiated and signed before work is permitted to begin
 - The specifics of the job, the available resource and the project timeline are made clear before work is permitted to begin

Fair pay

02

- If the job then expands, the freelancer has recourse to renegotiate their fee, putting an end to the 'gamble' articulated on page 23 of this report
- Fees recognise every aspect of the work involved in carrying out a contract, putting an end to 'invisible labour'
- Overheads are shared where possible
- Late payments of fees incur penalties for the employer
- The risks of a project being postponed or cancelled do not fall disproportionately on the freelancer
- Approved pay scales are used in determining fees
- The exploitation of digital rights is fairly recompensed

11. The *Five Guiding Principles* which have emerged from the Dance Task Force provides a clear framework for the formulation of fair trade standards.

Determine the scale of the 'invisible labour' problem

12. Several of our interviewees restated the 'golden rule' of working in the performing arts: 'if you want to break your heart, simply calculate your hourly rate of pay'.
13. **We recommend that a group of organisations of different scales forms to conduct an essential piece of sector research around 'invisible labour'.** Each organisation should pay the freelancers it engages across a six month period to keep a record of hours worked. At the end of each project, these records should be collected and analysed. The data generated can then be fed into a sector-wide conversation about fees. Only when employers understand the sheer scale of the industry's economic exploitation problem can steps be taken to address it.

Fair pay

02

Engage government in the work of sector recovery

14. As this report has established, the 'business argument' for the sector only applies to the commercial theatre. Arguments around how much money the performing arts return to HM Treasury per year have been allowed to dominate conversations with government. Consequently, the notion of the performing arts as a 'social enterprise' has been ignored. By structuring the 'value' of sector in purely monetary terms, we have colluded in a project which has grave consequences for the future of the nation's culture.
15. It is unclear whether government appreciates that they are effectively dealing with two sectors within the performing arts. One generates profit, the other 'social good'. One can be valued in economic terms, the other must be valued the the same terms as the NHS, schools and other public services.
16. The subsidised sector is chronically underfunded. Organisations are incentivised to seek savings where possible. Freelancers fees *are* part of those savings: in a 'buyers market' it is possible to suppress wages in order to balance budgets. **However, a publicly-funded sector built on the economic exploitation of its workforce is neither ethical nor sustainable.**
17. Furthermore, ACE funding agreements require performing arts venues to minimise the number of 'dark nights' per year in order to maximise turnover. The pressure created by these agreements is passed on to a freelance workforce who find themselves working under unsafe working conditions through technical rehearsals and preview periods. These conditions, if applied to permanent employees of arts organisations, would be judged to breach current employment legislation.

Fair pay

02

18. We recommend that ACE conducts a review of the impact of current funding agreements on the freelance workforce.
19. We further recommend that sector leaders work alongside freelancers to continue to make a case to government about the benefit that could be delivered to the public were the sector to be adequately funded.

Engage the commercial sector in workforce recovery

20. As the sector's biggest employer, the commercial theatre has a lot to lose if the workforce is unable to recover its previous strength. Although the commercial sector has been disadvantaged by the mechanics of the Culture Recovery Fund, receiving just 0.8% of total grants awarded, it still has a major role to play in workforce recovery.
21. Some West End theatre owners add an optional 'restoration levy' to ticket bookings as a means of restoring older buildings to a stable and functional state. **Public Campaign for the Arts is proposing that the commercial sector commits to a 'workforce restoration levy' based on a similar principle. The money collected would go directly to a fund to support freelance recovery.**
22. **Alternatively, a training levy, similar to the Apprenticeship Levy introduced by the government in 2017, could be introduced.** This would require employers to pay a 0.5% levy on their total payroll towards the cost of training and upskilling. Public Campaign for the Arts suggest that this figure should be nearer 0.7%.
23. Arguably, the commercial sector is a major beneficiary of the investment ACE-funded National Portfolio Organisations make in talent development.

Fair pay

02

Freelancers' skills are hard won, cultivated in a landscape built on unpaid and underpaid labour. However, those costs are not passed on to the commercial sector. Instead, producers and theatre owners are able to profit from the UK's world-beating 'talent pool' without the obligation to invest in it.

24. **We recommend that a working group is formed to explore the role and responsibility of the commercial theatre in investing in the 'talent pipeline'. Any initiative proposed as a result of this enquiry should be designed and delivered by freelancers.**

Protect early career freelancers

25. Early career freelancers are the group most disadvantaged by poor pay and conditions. They are also one of the groups most impacted by the pandemic: 92% of graduates found themselves ineligible for SEISS. This group is also the sector's most diverse in terms of ethnicity and disability. It is essential, therefore, that measures taken to aid workforce recovery pay particular attention to early career freelancers.
26. The necessity of accepting poor working conditions and the expectation of unpaid and underpaid labour are all but *taught* to young freelancers. Drama schools and specialist training programmes focus on managing not challenging exploitation.
27. **We recommend that the sector's training institutions equip young artists, craftspeople and technicians with a better understanding of their rights and responsibilities.** Curriculum space should be offered for the development of the tools graduates will need to shape the future of the industry.

Fair pay

02

28. The *Statement on Behalf of Early Career Artists and Practitioners* which emerged from the Freelance Task Force is essential reading for organisations. It argues that roles undertaken by freelancers at the beginning of their career should be purposeful, high quality and paid at 'industry rates'. In order to guarantee the creative health of the performing arts over the next decade, employers must commit to offering jobs as opposed to 'opportunities'.

Make skills development tax deductible

29. We recommend that work is done to ensure that the freelance workforce benefit from the government's renewed focus on training and skills. **The cost of training and skills development should be made tax deductible for self-employed artists, craftspeople and technicians.**

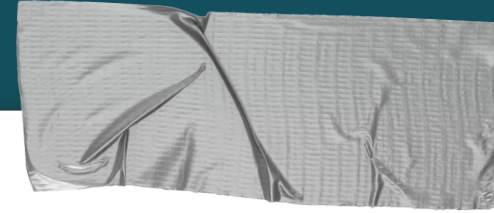
Lower freelancers' overheads

30. Even the smallest organisation can help lower workforce overheads by becoming less profligate with freelancers' time and labour. Rationalising communications, allowing for Zoom rather than in-person meetings and sharing resources will all impact on the working lives of the self-employed.

31. **We recommend that a group of freelancers and representatives from organisations is convened to draw up a list of 'quick wins' around lowering freelance overheads.**

Fair pay

Recommendations



- **COVID-proof freelance contracts**
- **Reform contracts and fees**
 - Determine the scale of the 'invisible labour' problem
 - Protect early career freelancers
 - Lower freelancers' overheads
- **Institute a 'fair trade' standard**
- **Engage government in the work of sector recovery**
- **Engage the commercial sector in workforce recovery**
- **Make skills development tax deductible**

Talent development and training

03

- Developing talent in every specialism
- Developing talent throughout the 'pipeline'
- Raising standards in training and CPD
- Upskilling
- Fair application processes

Overhaul the sector's talent development practices

1. In the NHS, doctors train doctors. In education, teachers train teachers. In aviation, pilots train pilots. However, in the performing arts, the professional development of the workforce has been entirely ceded to managements. This has led to a confusing, fragmented and inefficient training offer across the sector.
2. Our reporting has identified several weaknesses in the current model:
 - Training schemes are designed by permanent employees of organisations with no 'field experience'
 - Each organisation runs its own initiatives, meaning that novelty is often prized over quality and that brand distinctiveness is privileged over content
 - Best practice is not shared across the sector
 - These initiatives favour writers and directors over other disciplines
 - Each scheme requires a separate application process which is time consuming and loss making for freelancers
 - Freelancers are not adequately paid to engage with continued professional development
 - Training schemes do not line up with employment opportunities
 - The objectives of funders are often privileged over the training needs of freelancers
 - The funding system incentivises 'bulk training', meaning that quantity of participants is seen as more important than quality of outcome

An overhaul of talent and skills development is long overdue.

Talent development and training

03

3. We recommend that:

- Experienced freelancers are engaged to overhaul existing schemes
- Money is diverted from poor quality schemes to work of lasting value
- Organisations are incentivised to work together to deliver new initiatives
- The funding of talent development is 'cleaned up'

Audit the current training offer

4. Countless trusts, foundations, private donors as well as ACE itself invest in talent development programmes that they believe to be 'best in class'. Sadly, this is not always the case. Our reporting suggests that many of the schemes, initiatives and 'opportunities' made possible by these funding bodies are poorly conceived, unevenly delivered and of questionable benefit to participants. The way such schemes are packaged in funding applications, heralded in annual reviews and leveraged at donor events often masks their limitations.
5. **We recommend that an independent review of the sector's talent development offer is undertaken by experienced freelance specialists within each discipline.** Taking inspiration from an OFSTED inspection, this review will rate each NPO's current training offer, allowing donors and funding bodies to determine whether they are being offered value for money. Separating the schemes which have a genuine impact on skills, craft and career development from those that exist largely for show will help to drive training standards across the sector.

Talent development and training

03

Turn dark theatres into training sites

6. The only way to acquire new skills is to practice them. The moment we find ourselves in offers a once in a generation opportunity for emerging artists. Many of the nation's theatres will be operating a reduced production schedule over the coming months. Some will be 'dark'.
7. **We propose the formation of a consortium of NPOs, willing to temporarily re-designate their auditoria as 'training spaces'.** Under the leadership of a senior freelancer, teams of younger practitioners would be invited to work on stage, engage with new equipment and technology and learn how to upskill their work for a larger scale.
8. NHS 'teaching hospitals' tend to specialise in a particular area of medicine. We suggest that each theatre in the consortium focuses on a different discipline such as lighting design, stage management, sound design, creative access or costume.
9. Working under COVID-19 protocols, the training programme would comprise:
 - Masterclasses with leading practitioners
 - Hands-on engagement with the apparatus required to make work at scale
 - Practical work on an extract from a play which is cast, staged, lit, underscored, stage managed and lightly designed
10. For relatively little investment, freelancers who are ready to take the leap onto these stages would get the benefit of a 'practice lap'. Instead of lying 'dark', theatres would be animated by a diverse cohort of freelancers working to upskill themselves for the future.

Talent development and training

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Implement job 'twinning'

11. One of the most exciting ideas to emerge from the pandemic is 'job twinning'. The concept is simple: a more experienced freelancer pairs with an emerging practitioner within the same discipline across two shows. On the first show, the experienced freelancer takes the creative lead, mentoring the emerging practitioner who is engaged and paid as an Associate. On the second show, the 'junior partner' takes the lead. The 'senior partner' is paid to remain available for support as required.
12. The idea is inspired in part by a new diversity initiative emerging from television: a 2nd Assistant Director on block one of filming shadows the 1st AD before being promoted to that position for block two. Similarly, the 3rd AD is promoted to 2nd. What is 'shadowed' on one block is implemented on the next.
13. Not only would a 'job twinning' scheme generate more employment, but it would also help organisations recruit outside of their usual talent pool. The 'senior partner' would function as an insurance policy against the perceived 'risk' of new hires. This initiative could easily be adapted to accommodate:
 - Two shows in the same auditorium
 - One show on the main stage, the second in the studio space
 - Two venues joining together to offer one job each
14. Job shares, paid Associateships and work placements all have their merits. However, existing training pathways rarely lead to employment opportunity. **A 'job twinning' initiative would translate skills development into a solo 'credit' in fairly short order.**

Talent development and training

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15. Many freelancers would like to see the sector's hardship funds, including the Theatre Artist Fund, pivot into this area.

Build 'active mentoring' into production processes

16. *Progress, Promote and Protect*, written by a collective of Stage Managers, makes a strong argument for investment in mentoring as a means of diversifying and upskilling the workforce.
17. For freelancers, the word 'mentor' connotes a deep, long-term relationship between an experienced practitioner and an 'apprentice'. Strong bonds between freelancers of different generations have underpinned an informal system of mentoring which has flourished for over 600 years. Behind almost every great artist this country has ever produced is an individual who helped to cultivate their skills, confidence and resilience.
18. However, the sector tends to apply the word 'mentoring' to almost any situation in which a group of younger practitioners encounter an older practitioner. One of our interviewees was recently asked by an NPO if they would accept £120 to 'mentor' a practitioner who they had never met over two phone calls. Companies and organisations tend to misunderstand and undervalue the role of mentoring in effecting change.
19. **We recommend that freelancers and representatives from organisations form a working group to develop ways in which mentoring can be 'written in' to production processes.** By offering a 'mentor premium' on the contracts of more experienced freelancers as well as paid placements for younger

Talent development and training

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practitioners or school leavers, organisations will be able to utilise the natural mentoring instinct of the workforce for the good of the sector as a whole.

Set aside budget for upskilling

20. It takes tremendous skill and craft to work successfully on the nation's largest stages. However, this skill can only be learned by 'doing'. If organisations continue to use the fact that an individual freelancer has not yet worked at scale as evidence that they *cannot* work at scale, progress on diversity and inclusion will continue to be slow.
21. Chichester Festival Theatre designates funding to upskilling selected practitioners in readiness for a main stage show: for instance, preparing a sound designer for their first large musical.
22. **Instead of deciding that an individual is 'not ready' for a project at scale, we recommend that organisations set aside resources to upskill them.** Once again, they might be encouraged to turn to discipline specialists from the freelance workforce in order to help them shape their upskilling offer.

Create ACE funded Associateships

23. **In order to secure the future of the sector, we recommend that ACE invests in creating paid Associateships for a new generation of 'breakthrough' freelancers.** Ten posts per discipline across 2 or 3 years will underwrite the success of the performing arts for the next decade. These should be in-house posts located across the nation's building based organisations which come with a minimum commitment of shows per year.

Talent development and training

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24. We urge the sector to take inspiration from the in-house roles on offer in the 1960s and 1970s. As a result of having more artists, craftspeople and makers on the permanent payroll, organisations will derive considerable benefit from their presence in key conversations about operational and strategic planning.

Devise new generation apprenticeships

25. For centuries, the 'apprenticeship' played a vital role in the training of new talent within the performing arts. In the past few decades, however, the sector has moved away from the apprenticeship model favouring the delivery of training 'at scale' over the patient cultivation of the craft of a single individual.
26. Certain disciplines within the sector are in urgent need of more diverse practitioners. **We recommend that senior freelancers within these disciplines are work in collaboration with NPOs and funding bodies to design a new generation of apprenticeships targeted at under-represented groups.**
27. We would urge the sector to invite freelancers rather than administrators or Development departments to lead on the shaping of these apprenticeships.

Tackle the talent pipeline problem discipline by discipline

28. Freelancers, organisations, funders, boards and Arts Council are keen to build a more diverse and inclusive performing arts sector. However, the industry is currently challenged by a 'talent pipeline crisis' which is itself a 'direct consequence of long-term underinvestment in continuing professional development and training'.¹

¹

http://eprints.bournemouth.ac.uk/34328/1/Growing_a_sustainable_workforce-DCMS_Committee_Evidence_Wallis%26vanRaalte.pdf

Talent development and training

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29. The talent pipeline is 'blocked' at different stages for different disciplines. Even a simple analysis of the current workforce reveals that barriers to career progression vary by specialism: Stage Managers point to a problem attracting young people of colour into the profession, whereas the 'blockage' for directors of colour occurs around access to work at scale. A 'one size fits every discipline' approach is unlikely to be effective in addressing these blockages.
30. **We suggest that data-led analysis is carried out on the current workforce by discipline.** Preliminary reporting suggests that the pipeline blockages are occurring at one of three points:
- Attracting entrants into the discipline
 - Early career
 - Breaking through to the big stages
31. Tactical interventions will need to be made in the right areas. These might include:
- Sponsoring placements for individuals from underrepresented groups on training courses
 - Apprenticeships
 - Recent graduates being paid to work as an Associate for a senior freelancer for a year
 - Roadshows around schools and colleges to demonstrate the roles available
 - 'Poaching' talent in adjacent professions:
32. **We recommend that the talent pipeline is 'mapped' across the sector in order to inform where best to devote the energy and resource necessary to make the right interventions.**

Talent development and training

03

Use freelancers to scout new talent

33. There is a paradox at the heart of the sector's recruitment practices: organisations are understandably reluctant to employ anyone whose work they have not seen, and yet they lack the capacity to see much of the work they are invited to.
34. Other creative industries such as music and fashion take 'talent scouting' extremely seriously. In these industries, talent is scouted by practicing specialists who can appreciate the skills, craft and technique made manifest in the work they encounter. **We recommend that organisations extend their operational capacity by engaging practiced freelancers to scout new talent.** Rather than each organisation scouting alone, we suggest that organisations within the same ACE area join forces to increase efficiency and coverage.
35. **We further recommend that organisations commit to diversifying their 'suppliers' by holding portfolio days, creative speed dating events and by paying trusted freelancers to take general meetings on their behalf.**

Reform application processes

36. Members of the Freelance Task Force have created a *Menu of more transparent and accessible recruitment processes* which represents essential reading for organisations of every scale. Along with Section 3 of the *Freelance Supporters' Menu*, this document draws attention to the ways in which application processes often act as a barrier to inclusion and equity.

Talent development and training

03

37. We recommend that those involved in shaping, administering and delivering talent development initiatives engage with these documents as a first step to creating a healthier and more sustainable training offer¹.

Funding

38. The work we engaged with in the making of this report proposed a range of different funding mechanisms for reforming training and skills development within the sector:

- A 'workforce restoration levy' placed on tickets sold by commercial producers
- Direct ACE funding
- Ring fenced funding within NPO annual budgets dedicated to the support and development of early career practitioners
- Ring fencing a percentage of commissions and production expenditure for the development of early career artists
- Pivoting benevolent funds away from hardship and into skills and jobs creation
- Enlightened private funders who are excited about creating initiatives with huge legacy benefit
- A 'barter economy' such as that employed by Studio Wayne McGregor: new dance companies are invited to pay for one week of 'free' rehearsal space by offering one day of outreach work

¹ <https://docs.google.com/document/d/1UABpAAHOQ3DgUVUGHibQg6bocRvK3W43MRIC9Owl-II/edit#>
https://www.the-uncultured.com/uploads/1/3/2/2/132249368/menu_versionone_aug2020_.pdf

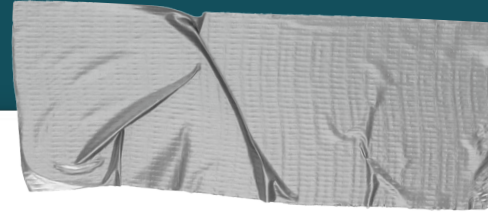
Talent development and training

03

39. The sector already directs a substantial amount of money towards training and skills development. Our analysis suggests, however, that it is often spent on poor quality, atomised schemes designed by administrators rather than experts.
40. Furthermore, we suggest that a significant proportion of the money given to organisations by ACE, private donors and charitable trusts is diverted into NPO overheads and core costs. **The sector's talent development money is currently not working hard enough or smart enough.**

Talent development and training

Recommendations



- **Overhaul the sector's talent development practices**
 - Audit the sector's current training offer
 - Engage freelancers to overhaul existing schemes
 - Divert money away from poor quality schemes
 - Incentivise organisations to work together to deliver training
 - 'Clean up' the funding of talent development
- **Turn dark theatres into training sites**
- **Consider new sector-wide approaches to training**
 - Implement a job 'twinning' scheme
 - Build 'active mentoring' into production processes
 - Set aside budget for upskilling
 - Devise new generation apprenticeships
 - Tackle the pipeline problem discipline by discipline
- **Use freelancers to scout new talent**
- **Reform application processes**

Working conditions

04

- Working structures that make people unwell
- Protecting breaks and rest
- Reporting lines around poor practice
- Accessible workplaces
- Flexibility for freelancers with specific needs
- Childcare
- Navigating as a 'first time freelancer'

Consult with freelancers on new production models

1. COVID-19 presents significant challenges to the operating models of the performing arts sector. The financial impact of the pandemic will force many organisations to cut costs by revising budgets and shortening project timelines. Workplace safety protocols will have an impact on *how* work is created.
2. If freelancers are asked to make the same quality 'product' quicker, with diminished resources, smaller budgets *and* to make it under COVID-19 guidelines, something will have to give.
3. Organisations must ensure that the pressures caused by the pandemic are distributed evenly. No guarantees can or should be given around 'improving wellbeing' whilst the circumstances in which new work is created make it more likely that freelancers will need to act against their own welfare in order to deliver excellent work.
4. **We recommend that organisations consult freelancers before signing off on their pandemic production models.** We urge freelancers to use their expertise to articulate the likely consequences that changes to budgets, timelines and work practices will have on outcomes.

Bring production processes up to date

5. As this report has established, freelancers have little control over the day to day working conditions in which they are expected to deliver projects and productions. Whilst the workforce is diverse and plural, the models they operate within are often inflexible.

Working conditions

04

6. The sector's most senior freelancers have, between them, worked at thousands of theatres, venues and opera houses across the world. In so doing, they have amassed an unrivalled expertise in the comparative advantages and disadvantages of hundreds of production models. By contrast, organisations often operate in silos, replicating a single way of making work which has changed little over the past 30 years.
7. **We recommend that a working group is convened to utilise the expertise of freelancers in exploring a range of new working models which draw on best practice from around the world.** This enquiry should focus specifically on:
 - 5 day working weeks
 - Part time rehearsals and flexible working hours
 - Parent and carer-friendly rehearsals
 - Relieving the pressure of technical rehearsals

Address institutional barriers to inclusivity

8. The current orthodoxy insists that it is the freelancer's job to adapt to the organisation rather than the organisation's job to meet the freelancer. The question 'what do you need in order to do your best work' is rarely asked. For the sector to be truly inclusive, this orthodoxy must be challenged.
9. Vijay Patel and Rachel Young have produced a guide to supporting neurodiverse freelancers.¹ The Freelance Supporters' Menu offers practical suggestions to supporting access.² Groups such as PiPA are expert in articulating the needs of parents and carers. Deafinitely Theatre, Graeae and

¹ <https://docs.google.com/document/d/1LxDgdY3Ed9qQWqWggRDnWmPDjoIWtak8es2RhnjqvjY/edit>

² https://www.the-uncultured.com/uploads/1/3/2/2/132249368/menu_versionone_aug2020_.pdf

Working conditions

04

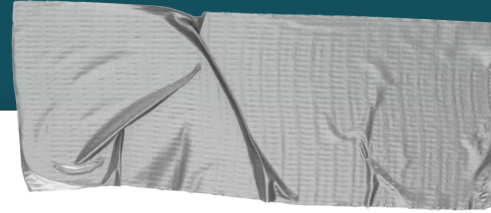
Extant are at the cutting edge of the nation's access work. These are the experts, and it is to these individuals and groups that the sector must now turn.

10. Freelancers with specific operating needs will often downplay or minimise them in order to 'fit in'. Furthermore, the lack of sector-specific standards provide an uneven access experience for individuals with specific needs.
11. **We recommend the formation of a working group to write a series of standards that all workplaces must meet and to explore the adaptations, budget interventions and access adjustments necessary to underpin permanent change.**

Get beyond the 'Safe Space' poster

12. In the wake of Me Too, 'safe space' declarations began to emerge. These declarations are felt by the workforce to have been a useful 'first step' in addressing bullying and harassment in the workplace. However, there is still considerable work to be done.
13. Younger freelancers and freelancers of colour are reluctant to draw attention to bullying and harassment for fear of being thought 'difficult'. A study undertaken in one major arts organisation reported that 58% of freelancers have no idea who they would go to if they witnessed something worrying.
14. The language of safe spaces achieves little if it is not backed up by the processes and infrastructure which make the reporting of poor practice possible. No industry-wide standards exist for the 'reporting out' of poor practice. **We recommend that a working group is convened to draw up practical guidance for freelancers and organisations to follow.**

Working conditions Recommendations



- **Consult with freelancers on new COVID-19 models**
Organisations should be encouraged to consult freelancers before signing off on their pandemic production models in order to ensure that they do not negatively affect working conditions
- **Bring production processes up to date**
This moment offers a unique opportunity to reform unhelpful and inefficient production processes and build more sustainable and effective methods of working
- **Address institutional barriers to inclusivity**
Workplaces across the sector should commit to a series of standards which ensure that they are accessible to all
- **Get beyond the 'Safe Space' poster**
Work remains to be done to ensure that workplaces are free from bullying and harassment

Inclusion

05

- Work practices which replicate inequity
- Commissioning and programming
- The reporting of poor practice
- Hiring practices and casting
- Governance and accountability
- Data collection

Address the inclusivity 'emergency'

1. Data presented in the *Routes to Recovery* report suggests by the time the sector returns to production at scale significant numbers of black, Asian, ethnically diverse, D/deaf and disabled freelancers will have left the industry. These losses will set the sector back years.
2. Creating a more inclusive sector is not just a moral imperative. It also makes good business sense. The sector is faced with the collapse of the canon, an aging audience and an appetite for new stories and new voices. Unless the performing arts prioritises inclusivity, it will lose out on market share.

Devise a sector-wide approach to inclusion

3. Academics Richard Wallis and Christa van Raalte argue that investment in simplistic solutions such as entry level recruitment drives 'obfuscate the seriousness and systemic nature of the real challenge'.
4. It is time for a sector-wide approach to inclusion. Rather than individual organisations each haring off in a different direction to devise a 'bespoke' set of reforms, freelancers need consistency across the industry. What is required is 'an agreed set of industry-specific standards'.
5. Public statements are of little value unless they are backed up by practice. Energy spent on producing the 'optics' of diversity is energy wasted. What is required is an outcomes-focused approach. For this reason, **we recommend that companies sign up to INC Arts Unlocked, a new accountability framework for cultural organisations.**

Inclusion

05

6. This programme lets each organisation travel at its own pace, but it also allows freelancers, funders and audiences to know that work is being undertaken to train staff, reform hiring practices, strengthen reporting structures and address inequity.

Invite experts to help shape organisational strategy

7. Whilst cultural organisations have been securing their own resilience, campaign and advocacy groups have articulated models, interventions and mechanisms for change. **We recommend that Senior Management Teams set aside time to catch up on essential reading.**
8. Before embarking on institutional reform, we recommend that organisations apprise themselves of:
 - INC Arts
 - BAME Over
 - Culture Needs Diversity
 - COVID-19 and its impact
 - An ethnically inclusive creative recovery
 - Speak, Listen, Reset, Heal
 - The We Shall Not Be Removed campaign
 - UK Disability Arts Alliance: Seven principles for an inclusive recovery
 - Migrants In Theatre: Creating a thriving environment for migrant theatre artists in the UK
9. The work of change cannot be allowed to devolve into an argument about which marginalised group to prioritise. It is essential that the sector fights for all of these things, not some of these things.

Inclusion

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Address the 'pipeline problem'

10. Backstage and 'offstage' teams are often the least diverse. **We recommend that research is conducted into the talent pipeline *by discipline* in order to determine the shape and scope of the 'pipeline problem'.**
11. In some specialisms, it may be necessary to create targeted training bursaries to pay for courses of study. Scene Change propose sponsoring placements at design schools for black, Asian and ethnically diverse designers.
12. Other disciplines will require intervention at a much earlier point: proposals exist for engaging with students at schools and colleges in order to make visible the various specialisms within the performing arts. Paying freelancers to embark upon 'craft and technical roadshows' around the country might attend to the poor visibility of these roles.
13. Alternatively, targeted interventions into related fields might be required in order to attract more diverse talent into underrepresented disciplines. It has been suggested that 'poaching' young music producers as potential sound designers, fashion students as potential costume designers and business students as potential producers would plug gaps within the sector.

Meet the field

14. In some areas of the sector, the block to inclusion is not a pipeline issue. Many employers have simply not been paying attention to the work being made by anyone other than their 'preferred suppliers'.
15. MENA Arts, Stage Sight and Profile host directories of artists, craftspeople and

Inclusion

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technicians. **We recommend that organisations mandate the permanent staff responsible for hiring project teams to invest time into exploring these directories in order to make their talent pools more inclusive.**

16. Our interviewees of colour are keen not to be engaged simply to serve organisational objectives. A fear of ghettoisation whereby black lighting designers are only considered for 'black shows' was common. We recommend general meetings and portfolio meetings over submissions of CVs as a means by which potential employers can engage with the specifics of an individual's practice, passions and politics.

Reform data collection

17. Our reporting has uncovered flaws with current methods of data collection which create 'loopholes' in the reporting of diversity statistics. We recommend that ACE undertake a review of its data collection practices in order to close these loopholes and to provide more transparency and accountability.
18. **We recommend that the sector commits to gathering better data on the offstage workforce, particularly as that data relates to diversity.**
19. Freelance expertise on a data working group is essential to articulating why and how current collection practices are masking the scale of the industry's 'inclusion problem'.

Engage funding organisations in the work of change

20. **We recommend that funders including trusts, foundations, Local Authorities and ACE become part of the sector's accountability structure, either by**

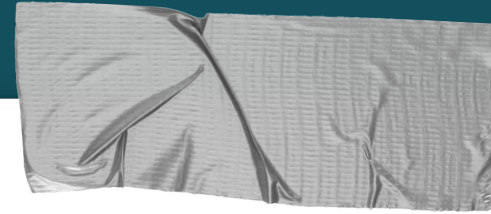
Inclusion

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withholding the final instalment of grant funding until standards for diversity are met or by imposing sanctions on organisations that are failing to deliver against key targets.

21. We observe that smaller organisations may struggle to join an accountability network or implement essential reforms. **We recommend that funding is made available to these organisations so that scale and availability of financial resource does not become a block to change.** Alternatively, we suggest that large organisations 'buddy' with smaller organisations to sponsor a place in an accountability network.

Inclusion Recommendations



- **Address the inclusivity emergency**
The pandemic is creating a quiet exodus of the sector's most diverse freelancers: action must be taken immediately to turn the tide
- **Devise a sector-wide approach to inclusion**
The time has come for organisations to join together in order to implement bold new industry standards in inclusion
- **Invite experts to shape organisational strategy**
Involve specialist campaign groups in the work of change
- **Address the pipeline problem**
Make tactical interventions into the talent development pipeline to secure a more diverse future for the sector
- **Meet the field**
Organisations must commit to widening their 'talent pools'
- **Reform data collection**
Overhaul the way in which data is collected to provide more transparency
- **Engage funding organisations in the work of change**
This work needs funding if it is to create permanent change

Access to sector assets

06

- Shared procurement
- Access to unused or underused spaces
- The use of 'idle stock'
- Access to office facilities
- Sharing in-house expertise

Explore the feasibility of asset sharing

1. We recommend the formation of a working group for a short 'work sprint' to innovate around the sharing of sector assets. The group should include freelancers from each discipline as well as experts in procurement and commercial partnerships.
2. The group should identify the sector assets currently held by NPOs and other organisations, access to which would benefit to freelancers.
3. Feasibilities studies should be conducted into the areas identified by the Freelancer Supporters' Menu to determine whether it is possible to:
 - Open out existing procurement procedures to freelancers
 - Collectivise 'buying power' to achieve bulk discounts on software, subscriptions, training courses, office supplies, model box materials and other essential 'overheads'
 - Encourage organisations to donate or subsidise places on specialist training courses to freelancers
 - Offer unused desk space, studio space or rehearsal space to freelancers by means of a Late Rooms inspired booking system
4. The group should engage with Scene Change's proposals around asset sharing for designers including the foundation of a 'model box library'.

Consider the value of Freelancer Advice Bureaus

5. It has become clear over the course of the pandemic that lack of access to legal, financial, marketing, tax and HR expertise contributes to the precarity of the freelance business model. Freelancer Advice Bureaus have been

Access to sector assets

06

widely discussed as a possible solution. Were an initial investment to be raised and publicly-funded organisations able to release their in-house experts to offer a number of pro bono days per year, these Bureaus could ensure that freelancers derive benefit from the skills of their colleagues elsewhere in the sector.

Run open houses

6. **We suggest that building-based organisations consider hosting ‘open house days’ for freelancers at regular intervals across the year.** Structured around ‘ask the experts’ sessions, face-to-face appointments with specialists, presentations from unions, professional bodies, trusts and foundations and ACE, open house days could help build resilient networks of freelancers. This idea is likely to have particular benefit to early career artists, craftspeople and technicians. A model created by the Associates of the National Theatre already exists.

Create a central resource for designers

7. Designers have been leading conversations on the benefit of a new Bauhaus-style centre for excellence in scenic design. A significant investment would be needed to repurpose an existing building which could then offer:
 - Studio space for designers at every stage of their career
 - Training and mentoring for young designers
 - Specialist equipment that no designer could afford to purchase alone
 - A central ‘pantry’ of model box materials bought at cost

Access to sector assets

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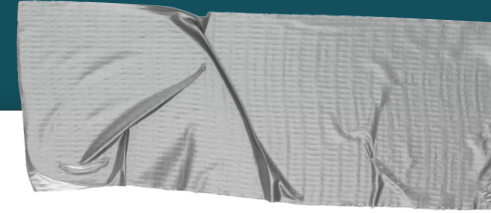
- Talks and lectures by visiting specialists in other practice fields
- A potential 'skills' economy in which studio space is paid for through mentoring and outreach work

The legacy value of such an idea cannot be underestimated.

Funding

8. These initiatives could be funded by ACE intervention, by charitable trusts and foundations, by commercial partnership or by in-kind contributions by NPOs. Were the commercial sector to commit to offering 0.7% of their profits to a central fund, they too could help ensure that the operational overheads of the freelancers they employ are minimised.

Access to sector assets Recommendations



- ➔ **Establish a working group on 'asset sharing'**
 - Open out procurement processes to freelancers
 - Collectivise buying power to benefit from bulk discounts
 - Encourage organisations to share training with freelancers
 - Offer underused space to freelancers
- ➔ **Consider the value of Freelancer Advice Bureaus**

Access to the legal, financial, marketing, tax and HR expertise that organisations are able to call on would also benefit freelancers
- ➔ **Run 'open houses'**

Use building-based arts organisations to host events which benefit freelancers and build resilient networks
- ➔ **Create a central resource for designers**

With some of the highest overheads of any specialism, generations of designers could benefit from a centre for excellence in scenic design

A power imbalance

07

- Representation in cultural organisations
- A voice in national policy conversations
- Ability to drive sector strategy
- Rebalancing relationships

Acknowledge the impact of COVID-19 on the balance of power

1. The poverty of the performing arts workforce is highly coercive: having not earned for a year, many of our interviewees are desperate for work.
2. **The pandemic has further shifted the balance of sector power in favour of cultural organisations and away from freelancers. Arguably, it has created the perfect conditions for an abuse of power on a scale the industry has never seen before.**
3. Some producers will doubtless take advantage of the pandemic to push through contracts and working conditions which will further disadvantage freelancers. However, the long-term recovery of the sector depends on the health and resilience of its creative entrepreneurs. Steps must be taken to redress the power imbalance between those who administer the cultural infrastructure of the nation and the workforce responsible for creating that culture.

Include freelancers in the shaping of the sector

4. Freelancers have had no voice in sector conversations over the course of the pandemic. As a result, the sector has not benefited from the innovation, creativity or ideas generated by the workforce. Nor have freelancers had an opportunity to shape mechanisms of recovery.
5. The tech industry insists that creators and innovators are invited into the rooms where strategy is determined. If the performing arts persists in excluding those with expertise in creating shows, schools programmes and new technologies from strategic conversations, it will be left behind.

A power imbalance

07

6. **We recommend that a cross-sector working group is formed to investigate how freelancers might become more instrumental in determining the future of the performing arts. Freelancers need a voice in:**
 - The shaping of cultural policy
 - ACE
 - Talking to trusts, foundations and funders
 - Professional bodies such as SOLT

Represent freelancers within organisations

7. **We recommend that organisations convene Freelance Advisory Boards to consult, advise and provide oversight on decisions affecting freelancers.** Organisations must be incentivised to work with freelancers to create schedules and models for production which lead to mutually-beneficial outcomes. The ‘nothing about us without us’ model that many of our interviewees are advocating should be adopted at every level of organisational decision making.
8. The sector would derive considerable benefit from greater freelance representation on boards. In addition, tabling ‘matters affecting freelancers’ as an agenda point for each meeting would give the workforce greater prominence in internal decision making.
9. Freelance expertise is an underused sector resource. We recommend paying freelancers to advance the sector’s aims and agendas by modelling new initiatives around training, asset sharing, community engagement and public benefit.

A power imbalance

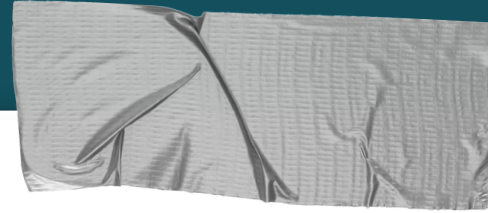
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Reframe the relationship between freelancers and organisations

10. Freelancers and organisations are mutually dependent upon one another. It is not 'family' or 'community' or 'care' that holds the sector together but enlightened self-interest. At the present time, the language of 'nurture' strikes our interviewees as 'cheap' or 'dishonest'. That sense of dishonesty is exacerbated by a suspicion that the promise of 'community' cannot truly be delivered on, given the pressures the sector currently finds itself under.
11. The performing arts has tended to euphemise money out of its conversations, preferring the language of 'the gentleman amateur' to that of the working professional. This is about to change. In the words of one of our interviewees, the pandemic has 'toughened up' the workforce.
12. Consequently, we advise organisations to call time on a culture of 'protecting freelancers' from conversations about money. We recommend that employers are as forthcoming about budgets, resources, timelines and desired outcomes from the very beginning of a project. The sector's recovery will depend in part on a willingness to invite freelancers to use their skill and expertise to solve problems *with* organisations.
13. We suggest that freelancers and organisations become more direct about how much they need each other. By acknowledging the transactional nature of the relationship, it becomes possible to work towards greater fairness, clarity and transparency. **We urge the sector to regard freelancers as skilled experts and cultural entrepreneurs instead of 'wards'. We encourage freelancers to continue educating themselves on the operational models of the organisations that employ them.**

A power imbalance

Recommendations



- **Acknowledge that the balance of power has shifted**
The pandemic has further shifted the balance of sector power in favour of cultural organisations and away from freelancers
- **Include freelancers in the shaping of the sector**
Convene a cross-sector working group to determine how freelancers might become more instrumental in determining the future of the performing arts
- **Represent freelancers within organisations**
Set up Freelance Advisory Boards to consult with organisations on how to make things better for both parties
- **Reframe the relationship**
It is time to renew the relationship between freelancers and organisations so that power and pressure are distributed more equally

Radical ideas for sector change

1. The pandemic has revealed the extent to which the relationship between the nation's artists, craftspeople and technicians and their audiences are 'mediated' by layers of cultural infrastructure. It has also shed light upon the fragility of the nation's cultural sectors.
2. The pause in production has afforded freelancers the opportunity to marshal new arguments for a radical overhaul of how the arts are funded. From these arguments, new models have been proposed. Whilst they vary in emphasis, they all propose shifting funding towards independent artists and communities and away from cultural venues and production companies.
3. Broadly speaking, these proposals are underpinned by three key ideas:
 - Stabilising the income of freelancers will lead to a boom in innovation
 - A more direct relationship between communities and theatre makers is both possible and desirable
 - The desired outcomes of current arts policy are being hindered by current models
4. The notion of 'public good' emerges again and again in the interviews Artistic Directors give to national newspapers. In their public statements, sector leaders express a desire to make performing arts spaces central to their communities.
5. However, the current funding system places 'shows on stages' at the core of the business model. By centralising power, resource, money and autonomy in the organisations rather than the creative leadership of the sector, the current system mitigates against the flexibility and inclusion necessary to create the 'public good' of which sector leaders speak.
6. James Graham argues that the unique brilliance of the arts is that they can deliver against 'the widest range of social agendas: inequality, well-being, inclusion and education'. However, many freelancers observe that the sector is not yet optimised to make good on that promise.

Radical ideas for sector change

National Arts Service

7. The argument for a National Arts Service begins with the observation that the public are currently ‘paying twice’ to access art and culture: once by way of tax and again with the purchase of a ticket. A National Arts Service would see money divert to local arts services, putting buildings at the service of the public. Instead of attending theatres, communities would use them.
8. This would be effected by the redistribution of funds away from large institutions, who would be encouraged to focus on general activity ‘at scale’. A grassroots infrastructure comprised of individual freelancers and smaller organisations would then be free to respond to the needs of local communities.
9. Much like the NHS, a National Arts Service would seek to join up the functions of disparate elements of the performing arts ecology leading to cost savings in procurement and shared services. Tarek Iskander, Artistic Director of Battersea Arts Centre, argues that remodelling parts of the sector on the NHS would make the establishment of ‘world-class standards for

inclusion, access, participation, co-creation and safeguarding’ both possible and achievable.

Comprehensive Spending Review Proposal

10. A team of freelancers working as the Recovery Group have proposed a major new strand of arts funding modelled on the City of Culture initiative. Working with a number of towns across the UK, the *Placemakers* initiative would see freelancers forging partnerships with local infrastructure. Teams of artists, craftspeople and specialists would ‘embed’ with communities to deliver work which stimulates local economies, levels up access to creative opportunity and helps to repurpose vacant or disused spaces for community use. This is a detailed and evidenced proposal which opens up a second means of publicly funded cultural production, allowing a more immediate, agile and direct benefit to the public.

Radical ideas for sector change

The NTS Model

11. Modelling has been done on what a reformed arts sector based on the National Theatre of Scotland might look like. As a means of investing in participation, opportunity, new talent, inclusion and community, the NTS is particularly successful. By instituting regionally based NTS-like producing hubs which are neither building based nor grant-awarding bodies, individuals and grassroots companies stand a better chance of being able to generate their own work. Such a system could plug in to the existing cultural infrastructure with relative ease.

Federal Theatre Project

12. The Federal Theatre Project, set up in the wake of the Great Depression, has provided a reference point for groups of freelancers devising new models of arts funding. The idea is uniquely suited to a society faced with considerable economic, employment and opportunity challenges. The research paper *Supporting A Freelance Creative Workforce* explores ways in which a reimagined FTP might facilitate an extensive new programme of public works and community-based activity. Such

a scheme would help retain skills within the regions and nations of the UK as well as stimulating employment.

Local Authority partnerships

13. Freelancers have been discussing a means of making, resourcing and financing theatre through partnerships with Local Authorities and community-based organisations. Models such as the NTS's *Home* in which theatre makers worked with housing associations, *One All* a collaboration with football fans, *Archipelago of Shetland* and *Granite* were offered to evidence ways of making work outside of buildings. These discussions also raised the possibility of theatres being repurposed as education and community centres.

Universal Basic Income

14. The impact that Universal Basic Income might have on the performing arts workforce is detailed in SDUK's recent publication *Supporting A Freelance Creative Workforce*. It is argued that UBI would function as a stimulus that 'encourages creativity and entrepreneurialism by removing financial insecurity'.

Radical ideas for sector change

Intermittence du Spectacle

15. When freelancers talk of 'the French system', it is the Intermittence du Spectacle programme to which they are referring. Once a freelancer works a specific number of 'qualifying hours' for recognised employers over the course of a year, they are entitled to intermittent status and are paid a government subsidised salary. This gives the creative freelancer a more permanent sense of identity and allows them to make a living from their craft by addressing the needs of highly skilled workers in a poorly paid industry.

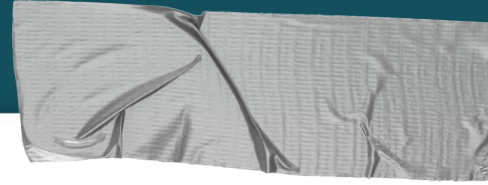
Enterprise Allowance Scheme

16. Research conducted by the SDUK report points to the impact of the Enterprise Allowance Scheme which ran from 1983 to 1988. EAS paid a guaranteed income to individuals setting up their own businesses. Under such a scheme, creative freelancers would be incentivised to form theatre companies and to become job creators rather than 'dependents'.

Freelancers in the Dark

17. The UKRI ESRC funded study, *Freelancers in the Dark*, is due to be published in late 2021. It will provide an even clearer picture of the economic, social and cultural impact of COVID-19 on freelancers. The study is sure to capture ideas for sector change that this report has not. As such, it will provide essential reading for all those with a stake in the future of the performing arts.

Radical ideas for sector change



- **National Arts Service**
A new grassroots infrastructure for the performing arts
- **Comprehensive Spending Review proposal**
A 'Placemakers' initiative designed to engage artists in rebuilding communities
- **The NTS model**
A shift away from 'the building' as the default production model
- **Federal Theatre Project**
A new version of the great works programme founded in America after the depression
- **Local Authority partnerships**
A shift from central to local funding models
- **Universal Basic Income**
A basic income guarantee provided to every citizen
- **Intermittance du Spectacle**
Arts workers are supported by the state in return for booking a specific number of jobs per year
- **Enterprise Allowance Scheme**
A return to a 1980s scheme which inspired the formation of new theatre companies

Summary

Summary

The freelance problem

1. For freelancers in the performing arts, COVID-19 has acted as a force multiplier on an employment system that was already under strain.
2. In a well-designed structure, pressure is distributed evenly. In a poorly designed structure, pressure collects around a specific area. When that system is placed under additional stress, the point of maximum pressure is the first to fall. The 'collapse' of the performing arts began on 23 March 2020. Whilst every part of the sector has been damaged by that collapse, freelancers have been decimated.
3. As the work of sector repair continues, it is essential that the system of freelance employment is radically remodelled to distributed pressure more evenly.
4. This report has identified 7 pre-existing problems that COVID-19 has exacerbated:
 - Employment status
 - Fair pay
 - Talent development and training

- Working conditions
 - Inclusion
 - Access to sector assets
 - A power imbalance
5. The pandemic has led to the emergence of three new challenges:
 - The income emergency
 - A retention crisis
 - Working under COVID-19 restrictions
 6. The future success of the performing arts rests on the health of its workforce. Unless the problems this report has foregrounded are confronted and remedied, the nation's cultural recovery will be incomplete, leading to further sector decline.

Sector-wide solutions

7. The systematic de-funding of the performing arts has forced organisations to compete for audience share, donors, ACE funding, the favour of trusts and foundations, and media attention. As a result, the pre-pandemic sector was disunited in its operational and strategic thinking.

Summary

8. The same was true of the workforce. In a 'buyers market', freelancers are incentivised to characterise themselves by their 'point of difference'. As a result, they too were disunited, siloed into different unions and professional bodies. Whilst their work was central to the work of the sector, their voice was not powerful enough to be heard.
9. However, since March 2020, a new spirit of porousness has emerged in which sector leaders have put aside tribalism and territorialism to come together for the common good. Freelancers too have found ways to unite across specialisms, practice areas, age and experience.
10. We who work in the performing arts long to reconnect with audiences once more. Yet the work of survival requires organisations and freelancers to 'put their own oxygen mask on first' before helping others. The risk is that, in doing so, the porousness gained over the course of the pandemic will be lost, and old habits will re-emerge.
11. Sector-wide challenges demand sector-wide solutions. If organisations, producers, funders, and freelancers were to unite in committing to solve the 'freelance problem', the nation could

reap the benefit of a more productive, innovative and resilient future for the performing arts.

12. Our analysis suggests that cross-sector working parties which draw from the expertise of existing organisations and groups would offer the sector the best chance of implementing the recommendations of this report.

The time is now

13. With the performing arts unlikely to return to production at scale for a number of months, the opportunity to begin the work of change is now.
14. Rather than being swallowed up in endless, anxious cycles of planning and replanning, sector leaders, heads of NPOs, funding bodies and freelancers could choose to dedicate the coming months to implementing the key recommendations of this report.

Summary

A vision for the future

15. The recommendations made by this report focus on improving the lives of freelancers in the performing arts sector as it exists today. Artists, craftspeople and technicians are united in their desire for better pay, better working conditions, better routes for career progression, better training and better representation of the nation's diversity on its stages.
16. However, our reporting has identified one question which preoccupies the workforce more than any other. Why is it that those who create the nation's culture are not in the driving seat of cultural production?
17. Artists, craftspeople and technicians have a direct relationship with audiences and communities across the country. Before the founding of the Arts Council, it was the artists themselves who managed companies, booked tours, commissioned plays, established arts festivals and drew up plans for a national theatre.
18. It is thanks to a historic intervention by an enlightened government that access to art and culture became part of the birthright of every citizen. However, it seems that the story of post-war arts funding is also a story about the creation of an infrastructure which has estranged, infantilised and disempowered artists.
19. Whilst competing visions of the future exist, most freelancers agree that it is time to revitalise the way the sector is structured, managed and funded for the benefit of generations to come.

Consulted sources

Newspaper articles
Reports and studies
Government and public submissions
Campaigns and advocacy
Dialogue and discussion
Manifestos and models
Freelancers helping freelancers
Redefining 'activity'

Newspaper articles

When we get back, let's fix the things that weren't right before

Tarek Iskander on the imperative to change the way in which the sector operates

A post-recovery wishlist from the London theatre world

Evening Standard article featuring contributions from sector leaders on their hopes for the future of theatre

Theatre 2021: Tarek Iskander on... a National Arts Service

An overview of the case for a National Arts Service made as part of a broader piece about 'building back better'

How 8 Countries Have Tried to Keep Artists Afloat

New York Times article comparing the ways in which governments around the world have responded to the pandemic

The Stage 100

A list of individuals and organisations who have been active in advocacy, campaigning and creating new models of work

Culture White Paper – arts policy hasn't evolved in 50 years

Written by James Doeser in 2016, the article argues that UK arts policy is stuck in an unimaginative rut

Fund us like art depends on it

Susan Jones on the arts precariat: the focus is on the visual arts but the arguments apply across all cultural sectors

The Arts Are in Crisis. Here's How Biden Can Help

A New York Times article outlining the case for a modern version of the Works Progress Administration

Freelancers Make Theatre Work: In the News

A comprehensive resource listing every news article pertinent to theatre freelancers since June 2020

Reports and studies

COVID-19: Routes to recovery

Independent report on the findings of The Big Freelancer Survey, providing data on the precarity of the freelance workforce

Interdependence: Freelancers and organisations

Freelancers Make Theatre Work report on the necessity of a healthy freelance workforce to sector recovery

Growing a Sustainable Workforce

A response to the DCMS Committee's call for evidence by Richard Wallis and Christa van Raalte

It Is All Shit: A Working Before Having Full Audiences Report

An exploration of the challenges facing freelancers as the industry prepares to resume production

Freelance Task Force Early Career Artists and Practitioners Survey

A dataset focusing on the impact of the pandemic on early career artists

Who will our audiences be?

ACE sponsored report on the likely composition of future audiences

Arts Index

Annual report on a number of key indicators which aim to 'take the country's cultural pulse'

The impact of the Cultural Recovery Fund on the Arts and Culture sector

CEBR report commissioned by ACE in October which attempts to predict the impact of the Culture Recovery Fund

The Value of Arts and Culture in Place-shaping

ACE commissioned report designed to articulate the ways in which arts and culture impact communities

Reports and studies (continued)

The value of arts and culture to people and society

ACE-commissioned evidence review of the impact of arts and culture on the economy, health, society and education

Cultured Communities

Report by the Fabian Society on the impact of cuts in local authority arts and culture spending

What is the evidence on the role of the arts in improving health and well-being?

WHO scoping review of the impact of the arts on health and wellbeing outcomes

Culture Vultures: Is UK arts policy damaging the arts?

Published in 2006 and edited by Munira Mirza, six essays on UK arts policy

The Arts Council at 70: A history in the spotlight

Transcript of a Cultural Trends and Kings College symposium on the Arts Council

Women in Theatre Forum Report

From a forum on developing strategies to improve gender equality in theatre

Creative Industries Policy & Evidence Centre

Analyses the impact of the pandemic on jobs in the cultural sector

Jobs and recovery monitor - BME workers

Analysis of the January 2021 Office of National Statistics labour market data

Supporting a freelance creative workforce

An exploration of three funding models designed to support the freelance workforce

Government and public submissions

DCMS Select Committee Inquiry: Impact of COVID-19 on DCMS sectors

Written evidence submitted by UK Theatre and Society of London Theatre et al to the DCMS Select Committee

SOLT & UK Theatre: Covid-19 and the Challenge of Recovery

The sector's case for government support, as yet not made publically available

DCMS Commercial Pipeline

Indicating the department's plans to research the means by which Cultural Heritage Capital might be measured

House of Lords Debate: Covid-19 Arts Sector

A transcript of questions put to the Lords on the arts sector on the 15th December

Cultural Recovery Fund: Essential support making a difference

Detailing the distribution of the CRF in Wales, including reference to £7m of designated support for freelancers

A response to the Covid-19 crisis for the Arts in Ireland

The report of the expert advisory group appointed by the Irish Arts Council

Robust action by government needed now to prevent culture sector from collapse

A call by the DCMS Committee for further support for the culture sector

Funding of the Arts and Heritage: Culture Media and Sport Committee

A 2011 report by the Culture, Media and Sport Committee into the new arrangements for the sector

House of Commons - Funding of the Arts and Heritage - Culture, Media and Sport Committee

An assessment of the impact of changes to the funding of the arts in 2010

Campaigns and advocacy

Freelancers Make Theatre Work

An essential collection of resources for freelancers covering wellbeing, advocacy, community and financial support

Scene Change

Convened by stage designers and craftspeople to advocate for change, provide community and respond creatively to the pandemic

Stage Sight

Works to create an 'offstage' workforce that is more reflective of contemporary society

Open Hire

A campaign calling for more transparency in hiring practices across the industry

Mena Arts

Exists to celebrate and champion theatre makers connected to the Middle East, North Africa and the surrounding area

Inc Arts UK

Home of Culture Needs Diversity, Inc Arts works to advocate for, support and champion diversity and inclusivity in the arts

What Next Culture

A nationwide forum spanning a huge array of artistic disciplines invested in shaping the future of the arts in the UK

Public Campaign for the Arts

Next Steps: 10 things the Government still need to do to protect our arts and culture

We Shall Not Be Removed

An open letter to the Culture Secretary from Deaf and disabled cultural leaders, artists and inclusive companies

Migrants in Theatre

A group convened to advocate for migrant theatre artists in the UK

Dialogue and discussion

Freelancers Make Theatre Work: Future Labs Reports

Reports and notes from the Future Labs discussions covering 6 complex and urgent issues facing the sector

A dialogue on theatres and communities

A conversation between practitioners, Artistic Directors and critics on the future of community work

This Is The Time: A snapshot from independent creative workers

A verbatim distillation of the inputs of over 200 theatre makers

How the the conversation about why the UK's theatre must be saved should change

Alice Saville's round up of several of the most pressing debates around the future of UK theatre

A dialogue on making work collectively

A conversation between practitioners, Artistic Directors and critics on the creative potential of collective work

Working Safely Through Covid

Emerging from What Next Culture, this document offers some principles for safe work post-pandemic

WTF Next

Notes from a series of discussions convened by Maddy Costa

Freelance Task Force: Summary of Summaries

A precis of the notes taken by two members of the Freelance Task Force over the 13 weeks of their engagement

#CulturePlanB

A series of three blog entries by David Jubb exploring alternative models of theatre making

Manifestos and models

Five Steps to Reimagine your Organization

A framework for change post-Covid created by Of / By / For All

A Freelance Supporters Menu

A product of the Freelance Task Force this menu offers a clear and practical 'menu' for 10 aspects of organisational change

A Manifesto For (Better) Representation

A working document structured around a series of questions and provocations coming out of the Freelance Task Force

5 Principles - A 'Fair Trade' Model

Five principles for organisations to consider in working with freelancers, created by the Freelance Task Force

Progress, Promote and Protect

Written by a group of Stage Managers this document is designed to help improve working practices

Making Better Conditions for Neurodivergent Freelancers

An open letter to arts organisations and venues by members of the Freelance Task Force

A Menu of More Transparent and Accessible Recruitment Processes

Provocations in response to a survey carried out by the Freelance Task Force in July 2020

Creative Recovery - CSR Representation

A submission for consideration at the Comprehensive Spending Review arguing for a new 'Placemakers' initiative

A Director's Rider

Emerging from the Young Vic's 'Debrief Dialogues' this document details ways in which working practices might be improved

Freelancers supporting freelancers

Gig Aid

Bryony Kimmings and Brian Lobel raise money to be given to artists as microgrants

Exchange Project

Francesca Murray-Fuentes and Molly Sharpe connect furloughed workers and freelancers to share knowledge, ideas and skills

Freelancers Make Theatre Work

Tea breaks, guided meditation, boxing, dance classes delivered free by freelancers for freelancers

Showcase 2020

Set up by Olivia Beardsley and Isaac Stanmore to showcase drama school graduates missing out on final showcases

Fleabag Support Fund

Diverting profits from Fleabag to freelancers facing acute financial hardship

Pull Up or Shut Up

A call to action asking organisations to disclose data on diversity and hold themselves accountable for change

Liverpool Artists Coronavirus Fund

Luke Barnes' fundraiser for Liverpool based artists

Theatre Emergency: Union Dues

An online fundraiser organised by Griffyn Gilligan to cover the costs of union dues for theatre workers

Future Theatre Monday Meet Ups

A weekly informational meet up for freelancers and the wider industry to share progress and news

Redefining 'activity'

The following individuals and organisations have modelled proposals for freelancer-led activity which are not dependent on the authorisation of Stage 5 reopening.

Mark Leipacher, Jack Gamble and The Recovery Group

A paper detailing a freelancer-led model for a series of 'public works' designed to impact on health, wellbeing, inward investment and skills. Initially conceived as a submission to the Comprehensive Spending Review, the paper's central proposition could conceivably be adapted to benefit both the workforce and the general public.

Soutra Gilmour and Scene Change

A plan for a nationwide network of 'pop up' outdoor stages which bring high quality performance to audiences and communities.

A Note on Ace Project Grants

Sourced from a survey of dozens of freelancers, this paper details new ideas for innovation and upskilling which would impact on workforce resilience, with a particular focus on those in 'backstage' roles.

The Interdependence Report

Published by Freelancers Make Theatre Work, the report argues that career development and the generation of creative activity which is not dependent on the reopening of venues should be a sector priority.

Future Labs

Convened by Freelancers Make Theatre Work, the Future Labs discussion reports contain practical ideas for activity with mutual benefit for freelancers and organisations.



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